

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA

9 MARCUS XAVIER LOPEZ,

10 Plaintiff,

11 v.

12 CITY OF CERES, et al.,

13 Defendants.

Case No. 1:18-cv-00354-AWI-BAM

ORDER TO SHOW CAUSE WHY
SANCTIONS SHOULD NOT IMPOSED
FOR FAILURE TO COMPLY WITH COURT
ORDERS AND FAILURE TO PROSECUTE
THIS ACTION

ORDER CONTINUING SCHEDULING
CONFERENCE

14
15
16 Plaintiff Marcus Xavier Lopez, proceeding through counsel, initiated this action on March
17 12, 2018. (Doc. No. 1.) On June 5, 2018, the Court held a telephonic status conference in this
18 action. Plaintiff's counsel appeared by telephone and reported that the summons and complaint
19 were out for service on defendants. The Court therefore ordered Plaintiff, within thirty (30) days,
20 to either file a status report updating the Court regarding the status of service or file proofs of
21 service demonstrating that service had been effectuated on defendants. The Court also advised
22 counsel that the failure to comply with the order may result in the imposition of sanctions.
23 Further, the Court continued the Mandatory Initial Scheduling Conference to August 16, 2018,
24 and ordered that a Joint Scheduling Conference Report be filed at least one (1) week prior to the
25 conference. (Doc. No. 5.) The deadlines to file a status report, proofs of service or a Joint
26 Scheduling Conference Report have passed.

27 To date, Plaintiff has not filed a status report, proofs of service or a Joint Scheduling
28 Conference Report, and has not otherwise contacted the Court. Accordingly, Plaintiff is

1 HEREBY ORDERED to SHOW CAUSE why this Court should not impose sanctions, which
2 may include a recommendation for dismissal of this action, for the failure to comply with court
3 orders and the failure to prosecute this action. Plaintiff shall respond to the Order to Show Cause
4 in writing no later than **August 20, 2018**. The failure to comply with this order will result in the
5 imposition of sanctions.

6 Additionally, the SCHEDULING CONFERENCE currently set for August 16, 2018, is
7 HEREBY CONTINUED to **September 13, 2018, at 9:00 AM in Courtroom 8 (BAM)** before
8 Magistrate Judge Barbara A. McAuliffe.

9
10 IT IS SO ORDERED.

11 Dated: August 9, 2018

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE