

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROSENDA FLORES, et al.,  
Plaintiffs,  
v.  
CITY OF CALIFORNIA, et al.,  
Defendants.

No. 1:18-cv-00703-DAD-JLT

ORDER

Pursuant to the court’s July 1, 2019 order to show cause (Doc. No. 25), plaintiffs Rosenda Flores, Juan Flores, Rosanna Flores, and Ciriaco Flores appeared telephonically before the court on July 16, 2019 to show cause why this action should not be dismissed due to their failure to prosecute this action and failure to obey the court’s orders with respect to informing the court if and how they wished to proceed with their case after the unexpected death of their attorney. Maria Taza also appeared at the hearing telephonically as plaintiffs’ translator. Attorney G. Craig Smith appeared telephonically as counsel for defendant City of California City.

At the hearing on the order to show cause, plaintiff Ciriaco Flores informed the court that, despite having met with a few attorneys, he and the other plaintiffs have been unsuccessful in securing substitute counsel. Each of the plaintiffs present at the July 16, 2019 hearing informed the court that they wished to proceed with this action and requested an extension of time from the

////

1 court within which to secure substitute counsel. Defense counsel did not object to plaintiffs'  
2 request.

3 Good cause appearing, the court will grant plaintiffs an extension to file an amended  
4 complaint by **August 27, 2019**. During this time, plaintiffs are free to secure substitute counsel.  
5 If plaintiffs are able to find such counsel, then that counsel should substitute into this case by  
6 filing a notice of appearance and also file an amended complaint by the August 27, 2019  
7 deadline. If any counsel wishing to substitute in as counsel for plaintiffs requires additional time  
8 to file an amended complaint, then s/he shall file a motion with the court seeking additional time  
9 to do so. If substitute counsel is not obtained by plaintiffs and they desire to proceed with this  
10 action by representing themselves in this matter<sup>1</sup>, they must file an amended complaint by the  
11 August 27, 2019 deadline. **Failure to file an amended complaint by August 27, 2019 will**  
12 **result in dismissal of this case without prejudice<sup>2</sup> for failure to prosecute.**

13 The Clerk of Court is directed to serve this order on plaintiffs by mail at 21361 Reed  
14 Place, California City, CA 93505.

15 IT IS SO ORDERED.

16 Dated: July 16, 2019

17   
18 \_\_\_\_\_  
19 UNITED STATES DISTRICT JUDGE

20  
21  
22  
23  
24  
25 \_\_\_\_\_  
26 <sup>1</sup> Should plaintiffs decide to represent themselves in this matter, each plaintiff may only represent  
27 himself or herself and he or she may not represent any other plaintiff.

28 <sup>2</sup> “Without prejudice” means without prejudice to plaintiffs’ refileing this action at a later time. In  
other words, dismissal of this case without prejudice means that plaintiffs will be able to refile  
their claims in the future should they wish to do so subject to any applicable statute of limitations.