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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

On May 2, 2017, after issuing an order dismissing plaintiffs’ complaint with leave to amend (Doc. No. 40), the court learned that plaintiffs’ counsel of record had unexpectedly passed away. (Doc. No. 41.) Over the next few months, the court attempted to ascertain if and how the plaintiffs wished to proceed with this action. (See Doc. Nos. 41, 43, 45.) On July 16, 2019, after plaintiffs appeared before the court to show cause why this matter should not be dismissed for failure to prosecute, the court issued an order directing plaintiffs to file an amended complaint in this action by August 27, 2019, and to inform the court if they had secured substitute counsel to represent them or if they wished to proceed *pro se*. (Doc. No. 48.) That order contained clear notice to plaintiffs that the “[f]ailure to file an amended complaint by August 27, 2019 will result in dismissal of this case without prejudice¹ for failure to prosecute.” (*Id.* at 2) (emphasis

¹ “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

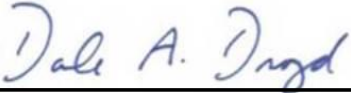
1 omitted). To date, plaintiffs have not filed an amended complaint, nor have they updated the
2 court on their efforts to secure substitute counsel or their desire to proceed *pro se*, and the time to
3 do so has since passed.

4 Accordingly,

- 5 1. This action is dismissed without prejudice for failure to prosecute;
- 6 2. The Clerk of Court is directed to:
 - 7 a. Serve this order on plaintiffs by mail at 21361 Reed Place, California City,
8 CA 93505; and
 - 9 b. Close this case.

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11 IT IS SO ORDERED.

12 Dated: September 3, 2019



UNITED STATES DISTRICT JUDGE

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their claims in the future should they wish to do so.