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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

HUSSEIN ALI,

Case No. 1:19-cv-00450-AWI-SKO

Plaintiff,

**ORDER ADOPTING FINDINGS AND
RECOMMENDATION TO DISMISS
CASE FOR FAILURE TO PROSECUTE
AND OBEY THE COURT'S ORDERS**

v.

EXPERIAN INFORMATION SOLUTIONS,
INC.,

(Doc. No. 16)

Defendant.

_____ /

On March 5, 2019, Plaintiff, proceeding pro se, filed a complaint against Defendants Trans Union LLC¹ and Experian Information Solutions, Inc., in Fresno County Superior Court. (Doc. No. 1-1.) On April 5, 2019, Defendant Experian removed the case to this court. (Doc. No. 1.)

The assigned magistrate judge set a Mandatory Scheduling Conference for June 27, 2019, and ordered the parties to file a Joint Scheduling Report by June 20, 2019. (Doc. No. 2.) On June 27, 2019, Plaintiff failed to appear at the scheduling conference. (Doc. No. 11.) Thus, the assigned magistrate judge continued the scheduling conference to August 8, 2019 and directed the parties to file an updated joint scheduling report by August 1, 2019. (Id.) The assigned magistrate judge also warned Plaintiff: **“The Court ADMONISHES Plaintiff that if he fails to appear without good cause at the scheduling conference on August 8, 2019, the Court will recommend to the assigned district judge that Plaintiff’s complaint be dismissed for failure to prosecute and failure to comply with a court order.”** (Id.) (emphasis in original). On August 8, 2019, Plaintiff again failed to appear at the Mandatory Scheduling Conference. (See Doc. No. 14.)

¹ Trans Union was dismissed as a defendant on May 7, 2019, pursuant to the parties’ stipulation. (Doc. Nos. 6, 7.)

1 Due to Plaintiff's failure to appear at the August 8, 2019 scheduling conference, the assigned
2 magistrate judge entered an Order to Show Cause ("OSC") directing Plaintiff to show cause by
3 August 22, 2019, why the court should not recommend that the case be dismissed for failure to
4 prosecute and failure to comply with the Court's orders. (Doc. No. 15 at 3.) Plaintiff failed to
5 respond to the OSC by August 22, 2019 and has not filed a response to date.

6 In accordance with 28 U.S.C. § 636 and Local Rule 302, on September 9, 2019, the assigned
7 magistrate judge issued findings and recommendations recommending that this action be dismissed
8 with prejudice because Plaintiff failed to comply with the OSC, failed to comply with other court
9 orders, and failed to prosecute the case. (Doc. No. 16.) The findings and recommendations were
10 mailed to Plaintiff's address on the docket and contained notice that any objections were to be filed
11 within fourteen (14) days. (Id.) No objections have been filed.

12 Pursuant to the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a de novo
13 review of the case. Having carefully reviewed the entire file, the court finds that the findings and
14 recommendation are supported by the record and proper analysis.
15

16
17 ORDER

18 Accordingly, IT IS HEREBY ORDERED that:

- 19 1. The findings and recommendation dated September 9, 2019 (Doc. No. 16), are
20 ADOPTED IN FULL;
21 2. This action is DISMISSED WITH PREJUDICE; and
22 3. The Clerk is directed to CLOSE this case.
23

24
25 IT IS SO ORDERED.

26 Dated: September 30, 2019


27 SENIOR DISTRICT JUDGE
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