



1 days why the action should not be dismissed for failure to prosecute, namely, the failure to submit a  
2 complaint signed under penalty of perjury. Plaintiff failed to respond to the order to show cause.

3           Consequently, on June 28, 2019, the Court issued Findings and Recommendations to dismiss  
4 the action for failure to prosecute, and Plaintiff was advised objections were to be filed within fourteen  
5 days. On July 12, 2019, Plaintiff filed a motion for an extension of time and/or stay of the action  
6 because he was housed at the California State Mental Hospital and was litigating a criminal case in the  
7 Kings County Superior Court. On July 16, 2019, the Court granted Plaintiff thirty days to file a  
8 complaint signed under penalty of perjury, but denied his request to stay the action. Inasmuch as  
9 Plaintiff filed a complaint signed under penalty of perjury on August 5, 2019, it is **HEREBY**  
10 **ORDERED** that the Findings and Recommendations issued on June 28, 2019, are **VACATED**.  
11 Plaintiff is advised that the complaint will be screened pursuant to 28 U.S.C. § 1915A in due course.

12  
13 **IT IS SO ORDERED.**

14 Dated: **August 27, 2019**



UNITED STATES MAGISTRATE JUDGE