

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

HENRY ADAMS.

Plaintiff,

V_a

HEATHER SHIRLEY,

Defendant.

No. 1:23-cv-01100-SAB (PC)

**ORDER TO SHOW CAUSE WHY ACTION
SHOULD NOT BE DISMISSED**

(ECF No. 12)

Plaintiff is proceeding pro se and in forma pauperis in this action filed pursuant to 42 U.S.C. § 1983.

On August 11, 2023, the Court screened Plaintiff's complaint, found no cognizable claim, and granted Plaintiff thirty days to file an amended complaint. (ECF No. 9.) Plaintiff failed to file an amended complaint or otherwise respond to the Court's order. Therefore, on September 20, 2023, the Court ordered Plaintiff to show cause why the action should not be dismissed. (ECF No. 10.) Plaintiff filed a response on October 3, 2023. (ECF No. 11.) In his response, Plaintiff stated that he was not able to file an amended complaint because he was placed in administrative segregation and was without his legal property. (*Id.*) On October 4, 2023, the Court discharged the order to show cause and granted Plaintiff thirty day to file an amended complaint in accordance with the Court's August 11, 2023 screening order. (ECF No. 12.) Plaintiff has not filed an amended complaint or otherwise responded to the Court's October 4, 2023, order and the time to do so has

1 passed. Accordingly, it is HEREBY ORDERED that Plaintiff shall show cause within **fourteen**
2 (**14**) days from the date of service of this order why this action should not be dismissed for failure
3 to prosecute, failure to comply with a court order, and failure to state a cognizable claim for relief.
4 Plaintiff's failure to comply with this order will result in a recommendation to dismiss the action
5 for the reasons stated above.

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7 IT IS SO ORDERED.

8 Dated: November 13, 2023



UNITED STATES MAGISTRATE JUDGE

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