

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
EASTERN DISTRICT OF CALIFORNIA

JOSE ESCOBEDO,
Plaintiff,
v.
DANNY SONOUVONG, *d/b/a AC Deli*, et
al.,
Defendants.

Case No. 1:24-cv-00932-KES-SAB
ORDER REQUIRING PLAINTIFF TO FILE
RESPONSE TO JANUARY 21, 2025
ORDER TO SHOW CAUSE
(ECF No. 16)
JANUARY 31, 2025 DEADLINE

On January 21, 2025, the Court issued an order to show cause directing Defendants to file a response in writing why sanctions should not issue for failure to timely file an answer or responsive pleading. (ECF No. 16.) In addition, the Court allowed Defendants an extension to file an answer. (*Id.*) However, the Court was explicit that “Defendants are advised that filing a responsive pleading without showing cause in writing why sanctions should not issue is an insufficient response to this order.” (*Id.*) (emphasis in original). On January 28, 2025, Defendants filed an answer but no response to the order to show cause. The deadline to file a response has now passed.

Defendants’ failure to respond to a court order is unacceptable and potential grounds for sanctions, including dismissal of this action. Fed. R. Civ. P. 41(b). Should Defendants continue to litigate in this district, the Court advises them to comply with all future court orders, including this one.

1 Notwithstanding, the Court still requires a response from Defendants. Accordingly, the
2 January 21, 2025 order to show cause REMAINS IN EFFECT.

3 Defendants shall have through **January 30, 2025**, to file a response that must address:

- 4 1) Why Defendants missed their deadline to file an answer and/or why default should
5 not be entered; and
6 2) Why Defendants did not timely file a response to the January 21, 2025 order to show
7 cause.

8 The Court admonishes Defendants that **failure to file a timely response to this order**
9 **will automatically result in monetary sanctions, potentially including daily sanctions**
10 **imposed against Defendants and Defendants' counsel, who will be jointly and severally**
11 **obligated to the monetary sanction.** Failure to comply with this order may also result in a
12 recommendation of dismissal of this action.

13 IT IS SO ORDERED.

14 Dated: **January 29, 2025**



15 STANLEY A. BOONE
16 United States Magistrate Judge