

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

* * * * *

GREGORIO C. FUNTANILLA, JR.,

Plaintiff,

v.

KAREN KELLY, et al.,

Defendants.

* * * * *

*
*
*
*
*
*
*
*
*
*
*
*
*
*
*

No. 2:02-cv-01157-AK

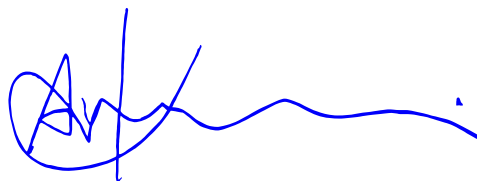
ORDER

On August 21, 2013, the court issued an order to show cause why Funtanilla’s complaint should not be dismissed as to defendant Linda Melching pursuant to Fed. R. Civ. P. 4(m). Funtanilla did not respond to this court’s order and no proof of service on Melching has been docketed. The complaint is hereby dismissed as to Melching without prejudice.

Funtanilla has not submitted a document to the court or communicated with the court in any way since April 02, 2010. Additionally Funtanilla has ignored this court’s order to show cause for over ten months. Funtanilla is therefore ordered to show cause why this case should not be dismissed for lack of prosecution. See

Fed. R. Civ. P. 41(b); see also Henderson v. Duncan, 779 F.2d 1421, 1423 (9th Cir. 1986). If no response is filed by July 09, 2014, the clerk shall enter an order dismissing the complaint as to all defendants with prejudice.

June 25, 2014

A handwritten signature in blue ink, appearing to read 'Alex Kozinski', with a long horizontal flourish extending to the right.

ALEX KOZINSKI
Chief Circuit Judge
Sitting by designation