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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LAZARUS ORTEGA,

Plaintiff,

No. CIV S-08-0588 CKD P

vs.

WILLIAMSON, et al,

Defendants.

ORDER TO SHOW CAUSE

_____ /

Plaintiff is a state prisoner proceeding pro se with a civil rights action under 42 U.S.C. § 1983. This case is set for trial on November 30, 2011. On November 3, 2011, defendants filed a motion to dismiss this action pursuant to Federal Rule of Civil Procedure 41(b), citing plaintiff’s failure to timely file a pretrial statement per Federal Rule of Civil Procedure 16, E.D. Cal. Local Rule 281, and Judge Mollway’s September 12, 2011 order granting the parties until October 17, 2011 to file pretrial statements. Defendants similarly cite plaintiff’s failure to file any motions in limine or jury instructions by the October 17, 2011 deadline, per the federal and local rules and Judge Mollway’s September 12, 2011 order.

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Good cause appearing, IT IS HEREBY ORDERED that within five days from the date of this order plaintiff shall file and serve papers showing cause why this action should not be dismissed pursuant to Rule 41(b).

DATED: November 4, 2011

/s/ Carolyn K. Delaney
CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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