

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
FOR THE EASTERN DISTRICT OF CALIFORNIA

DIMAS O'CAMPO,
Plaintiff,
v.
RAGHBIR SINGH GHOMAN, dba
QUICK SHOP 2; GHOMAN'S
PROPERTIES, LLC,
Defendants.

No. 2:08-cv-1624 KJM DB PS

ORDER TO SHOW CAUSE

On May 19, 2016, an order issued granting plaintiff leave to file a second amended complaint and deeming the second amended complaint filed March 21, 2016, the operative complaint. (ECF No. 82.) On June 30, 2016, plaintiff filed a declaration attesting to plaintiff's efforts to serve the second amended complaint on the defendants. (ECF No. 84.)

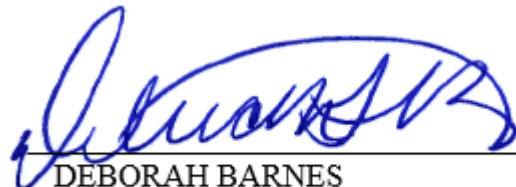
On November 30, 2016, the undersigned issued an order to show cause ordering plaintiff to "show cause in writing within twenty-one (21) days" as to why this action should not be dismissed for a lack of prosecution. (ECF No. 87.) On December 19, 2016, plaintiff filed an application for the Clerk to enter defendants' default. (ECF No. 88.) The Clerk entered defendants' default on December 20, 2016. (ECF No. 89.)

Plaintiff, however, has not responded to the November 30, 2016, order to show cause. In this regard, the November 30, 2016 order explicitly ordered plaintiff to show cause in writing

1 within twenty-one days. Filing an application for the entry of defendants' default was not a
2 permitted response.

3 Accordingly, IT IS HEREBY ORDERED that plaintiff shall show cause in writing within
4 seven (7) days of the date of this order as to why this action should not be dismissed for a lack of
5 prosecution and why plaintiff's counsel should not be sanctioned for failing to comply with the
6 November 30, 2016 order to show cause.¹

7 Dated: January 11, 2017

8
9
10 
11 DEBORAH BARNES
12 UNITED STATES MAGISTRATE JUDGE
13
14
15
16
17
18
19
20
21
22

23 DLB:6
24 DB\orders\orders.pro se\o'campo1624.osc2.dlop

25
26
27 _____
28 ¹ Alternatively, plaintiff may comply with this order by filing a notice of voluntary dismissal pursuant to Rule 41 of the Federal Rules of Civil Procedure.