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

VALETTA MCMURRAY,	)	
	)	2:09-cv-02245-GEB-EFB
Plaintiff,	)	
	)	<u>OSC AND ORDER SETTING STATUS</u>
v.	)	<u>CONFERENCE</u>
	)	
	)	
COUNTY OF SACRAMENTO, SHERIFF	)	
JOHN MCGUINNESS; DEPUTY SHERRIFFS	)	
JAVIER BUSTAMANTE, V. CANDIDO, L.	)	
CULP,	)	
	)	
Defendants. <sup>1</sup>	)	

Plaintiff and her lawyer were issued an Order to Show Cause on November 25, 2009 ("November 25 OSC"), which required them to explain why sanctions should not be imposed for Plaintiff's failure to file a timely status report. Since no timely status report was filed, the status conference was rescheduled to January 19, 2010, and Plaintiff was required to file a status report no later than fourteen days prior to the January 19 status conference.

Plaintiff's counsel responded to the November 25 OSC, and indicated in that response that a hearing was requested on the OSC. However, Plaintiff failed to file a status report as required by the November 25 OSC. Since Plaintiff failed to file a status report again, Plaintiff and her lawyer are Ordered to Show Cause ("OSC") in a

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<sup>1</sup> The caption has been amended according to the Dismissal of Doe Defendants portion of this Order.

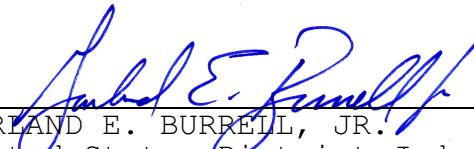
1 writing to be filed no later than 4:00 p.m. on January 22, 2010, why  
2 sanctions should not be imposed against her and/or her counsel under  
3 Rule 16(f) of the Federal Rules of Civil Procedure for that failure.

4           The hearing on this OSC will be held on March 1, 2010, at  
5 9:00 a.m., at the same time as the hearing on the first OSC issued to  
6 Plaintiff, which is rescheduled to that date and time. Since no  
7 status report was filed the January 19, 2010 status conference is also  
8 rescheduled to March 1, 2010, commencing at 9:00 a.m. In accordance  
9 with the requirements set forth in the August 13, 2009 Initial  
10 Scheduling Order ("August 13 Order"), a joint status report shall be  
11 filed no later than fourteen days prior to the status conference since  
12 review of the docket reveals the Defendants have filed an answer.

13           Lastly, the Doe defendants are dismissed since timely  
14 justification has not been filed warranting Doe defendant allegations  
15 remaining in this case. See August 13 Order, at 2 n.2 (indicating  
16 that if justification for "Doe" defendant allegations not provided Doe  
17 defendants would be dismissed).

18           IT IS SO ORDERED.

19 Dated: January 14, 2010

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23 GARLAND E. BURRELL, JR.  
24 United States District Judge  
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