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

BECKY LOPEZ,

Plaintiff,

No. 2:10-cv-01822 GEB KJN PS

v.

M.V. TRANSPORTATION
INCORPORATED,

Defendant.

ORDER

_____ /

On September 29, 2010, the court issued an order to show cause (“OSC”) that required plaintiff to show good cause why her case should not be dismissed for failure to prosecute this action and failure to comply with the court’s order regarding service of her complaint. (Dkt. No. 9.) In essence, plaintiff had failed to file with the court notice that she had timely submitted certain required service documents to the United States Marshal.

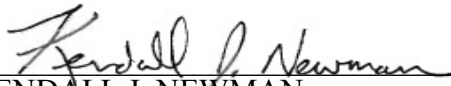
On October 12, 2010, plaintiff filed a timely response to the OSC, which provides good cause supporting the discharge of the OSC. (Dkt. No. 10.) It appears that plaintiff’s failure to file the required notice was inadvertent, and plaintiff expressed contrition for her misreading of the court’s instructions regarding service. Plaintiff’s response also includes the required notice regarding submission of materials to the United States Marshal.

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Accordingly, IT IS HEREBY ORDERED that the OSC entered September 29, 2010 (Dkt. No. 9), is discharged.

IT IS SO ORDERED.

DATED: October 14, 2010


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE