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

CD ALSTON

Plaintiff,

No. CIV S-11-678 KJM CKD PS

vs.

CITY OF ELK GROVE et al.

Defendants.

ORDER TO SHOW CAUSE

_____/

This proceeding was referred to the undersigned pursuant to E.D. Cal. L.R. 302(c)(21) and 28 U.S.C. § 636(b)(1). Plaintiff is proceeding in this action pro se and in forma pauperis.

On December 12, 2011, the court issued an order setting status conference, which scheduled a status (pretrial scheduling) conference in this matter for May 9, 2012 at 10:00 a.m. in courtroom no. 26 before the undersigned. (Dkt. No. 29 at 2.) That same order directed the parties to file status reports no later than 14 days prior to the status conference. (Id.) Although plaintiff filed a status report on April 23, 2012 specifically referencing the May 9, 2012 conference (dkt. no. 38), plaintiff failed to appear at the conference.

Therefore, plaintiff will be required to show cause within 14 days of the date of this order why monetary sanctions (in particular, defendants' counsel's fees and costs for

1 appearing at the status conference for which plaintiff failed to appear) should not be imposed.
2 Failure to respond to the order to show cause may result in the imposition of further and
3 increasingly severe sanctions.¹ Defendants' counsel will also be required to submit a declaration
4 regarding all fees and costs reasonably incurred with respect to her appearance at the May 9,
5 2012 status conference. After reviewing the declarations submitted, the court will issue any
6 further orders as may be necessary.

7 Accordingly, IT IS HEREBY ORDERED that:

8 1. Within fourteen (14) days of this order, plaintiff shall file a declaration
9 showing cause why she failed to appear at the May 9, 2012 status conference in this matter.

10 2. Within fourteen (14) days of this order, defendants' counsel shall file a
11 declaration outlining all fees and costs reasonably incurred with respect to her appearance at the
12 May 9, 2012 status conference.

13 Dated: May 9, 2012

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15 CAROLYN K. DELANEY
16 UNITED STATES MAGISTRATE JUDGE

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23 ¹ Plaintiff is hereby put on notice that failure of a party to comply with the Local Rules or
24 with any order of the court may be grounds for imposition by the court of any and all sanctions
25 authorized by statute or Rule or within the inherent power of the court. E.D. Cal. L.R. 110.
26 Although pleadings by pro se parties are liberally construed, pro se parties are required to abide by
the Federal Rules of Civil Procedure, Local Rules, and court orders, and failure to comply therewith
may be grounds for dismissal, judgment by default, or any other appropriate sanctions. E.D. Cal.
L.R. 183.