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

RAM HERAM,

Plaintiff,

No. 2:13-cv-780-TLN-EFB PS

vs.

UNITED STATES GOVERNMENT,

Defendant.

ORDER AND ORDER TO SHOW CAUSE

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This case, in which plaintiff is proceeding *in propria persona*, is before the undersigned pursuant to Eastern District of California Local Rule 302(c)(21). *See* 28 U.S.C. § 636(b)(1). On May 16, 2013, the undersigned granted plaintiff's request to proceed *in forma pauperis*, directed the clerk to provide plaintiff with the forms required to effect service on defendants, and directed plaintiff to provide to the U.S. Marshal within fourteen days all information needed to effect service of process and to file a statement with the court within fourteen days thereafter that the documents were submitted. ECF No. 3. Also on May 16, 2013, the court issued an order which, among other things, set a status (pretrial scheduling) conference for September 18, 2013, directed plaintiff to serve a copy of the order concurrently with service of process, and directed the parties to file status reports within fourteen days of the September 18, 2013 conference, or in this instance, by September 4, 2013. ECF No. 7.

1 The docket reveals that plaintiff has not filed a statement that the service documents were  
2 submitted to the Marshal. Furthermore, court staff contacted a representative for the Marshal on  
3 September 13, 2013. The representative indicated that the Marshal has not received the service  
4 documents from plaintiff. Additionally, plaintiff did not file a status report, as required by the  
5 May 16, 2013 order. Accordingly, the status conference will be continued and plaintiff will be  
6 ordered to show cause why this case and/or any unserved defendants should not be dismissed as  
7 a result of plaintiff's failure to follow court orders. *See* Fed. R. Civ. P. 41(b); E.D. Cal. L.R. 110  
8 ("Failure of counsel or of a party to comply with these Rules or with any order of the Court may  
9 be grounds for imposition by the Court of any and all sanctions authorized by statute or Rule or  
10 within the inherent power of the Court."); *see also* E.D. Cal. L.R. 183 ("Any individual  
11 representing himself or herself without an attorney is bound by the Federal Rules of Civil or  
12 Criminal Procedure and by these Local Rules."); *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir.  
13 1995) ("Failure to follow a district court's local rules is a proper ground for dismissal.").

14 Accordingly, IT IS HEREBY ORDERED that:

15 1. The status conference currently scheduled for September 18, 2013, is continued to  
16 January 22, 2014, at 10:00 a.m., in Courtroom No. 8.

17 2. Plaintiff shall supply the United States Marshal, within 14 days from the date this  
18 order is filed, all information needed by the Marshal to effect service of process, and shall,  
19 within 14 days thereafter, file a statement with the court that said documents have been  
20 submitted to the United States Marshal.

21 3. Plaintiff shall show cause, in writing, on or before October 15, 2013, why sanctions  
22 should not be imposed for failure to follow court orders and/or for failure to provide the Marshal  
23 with the necessary documents to effect service of process.

24 4. By January 8, 2014, the parties shall file status reports (or a joint status report) setting  
25 forth the matters referenced in the court's May 16, 2013 order, including the status of service of  
26 process.

1           5. Failure of plaintiff to comply with this order may result in a recommendation that this  
2 action be dismissed for failure to follow court orders and/or for lack of prosecution under Rule  
3 41(b).

4 DATED: September 16, 2013.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE

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