

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

MICHAEL DAVID STORMAN,  
Plaintiff,  
v.  
KAISER,  
Defendant.

No. 2:14-cv-2538 GEB DAD PS

ORDER

Plaintiff Michael Storman is proceeding in this action pro se. This matter was referred to the undersigned in accordance with Local Rule 302(c)(21) and 28 U.S.C. § 636(b)(1).

On April 29, 2015, the undersigned issued an order dismissing plaintiff’s complaint and granting him twenty-eight days to file an amended complaint. (Dkt. No. 3.) On May 11, 2015, plaintiff filed a motion seeking a sixty-day extension of time to file an amended complaint. (Dkt. No. 7.) On June 5, 2015, the undersigned granted plaintiff’s motion for a sixty-day extension of time to file an amended complaint. (Dkt. No. 9.) The sixty-day period has expired and plaintiff has not filed an amended complaint.<sup>1</sup>

////

<sup>1</sup> Although plaintiff has not filed an amended complaint, during the sixty-day period, he did file a motion for the appointment of counsel, (Dkt. No. 11), a request for a “ruling,” (Dkt. No. 14), and a document he referred to as “Exhibit B.” (Dkt. No. 15.) This action, however, cannot proceed in the absence of the filing of an amended complaint.

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

Accordingly, IT IS HEREBY ORDERED that within fourteen days of the date of this order plaintiff shall show cause in writing as to why this action should not be dismissed for a lack of prosecution and failure to comply with the court's orders.<sup>2</sup>

Dated: September 23, 2015

  
\_\_\_\_\_  
DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

DAD:6  
Ddad1\orders.pro se\storman2538.osc.docx

---

<sup>2</sup> If plaintiff intends to prosecute this action he should file his amended complaint forthwith.