

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

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

ROCHELLE WESTON, et al.,

No. 2:15-cv-0240-CMK-P

Plaintiffs,

vs.

ORDER

STELLA DE LA CRUZ, et. al.,

Defendants.

_____ /

Plaintiff Weston is a prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c) and no other party has been served or appeared in the action.

The court issued an order to show cause on November 2, 2017, requiring plaintiff to show cause why this action should not be dismissed for failure to resolve the fee status and failure to file an amended complaint. Plaintiff was warned that failure to file a response to the order to show cause could result in dismissal of the action for failure to prosecute and comply with court rules and orders. See Local Rule 110. To date, plaintiff has not filed a response to the

1 order to show cause.¹

2 The undersigned therefore finds it appropriate to dismiss this action for failure to
3 prosecute as well as plaintiff's failure to comply to court rules and orders.

4 Accordingly, IT IS HEREBY ORDERED that:

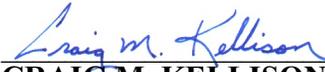
5 1. This action is dismissed for plaintiff's failure to file an amended
6 complaint; and

7 2. The Clerk of the Court is directed to close this case.

8

9 DATED: January 12, 2018

10



CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

¹ Although it appears from the file that the order to show cause was returned, the parties were properly served. It is the responsibility of the parties to keep the court apprised of their address of record at all times. Pursuant to Local Rule 182(f), service of documents at the record address of the party is fully effective.