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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LIUDMYLA IEGOROVA,  
Plaintiff,  
v.  
H.U.D.,  
Defendant.

No. 2:15-cv-0726-KJM-KJN PS

ORDER AND  
ORDER TO SHOW CAUSE

On April 17, 2015, the court dismissed plaintiff’s original complaint with leave to amend. (ECF No. 3.) In that order, the court granted plaintiff 28 days to either (a) file a first amended complaint or (b) file a notice of voluntary dismissal of the action without prejudice. (Id.) Plaintiff was specifically cautioned that failure to file either a first amended complaint or a notice of voluntary dismissal by the required deadline may result in the imposition of sanctions, including potential dismissal of the action with prejudice pursuant to Federal Rule of Civil Procedure 41(b). (Id.) Although the applicable deadline has now passed, the court’s records indicate that plaintiff failed to file either a first amended complaint or a notice of voluntary dismissal. Furthermore, plaintiff has not requested an extension of time to comply with the court’s order.

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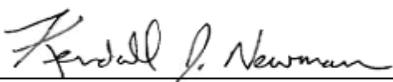
1 The court has carefully considered whether the action should be dismissed at this juncture.  
2 Nevertheless, in light of plaintiff's *pro se* status and the court's desire to resolve the action on the  
3 merits, the court first attempts lesser sanctions in the form of an order to show cause and  
4 monetary sanctions, as outlined below. Because the court is fully cognizant of the fact that  
5 plaintiff is proceeding *in forma pauperis*, the amount of monetary sanctions imposed is minimal.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. Within 28 days of this order, plaintiff shall pay to the Clerk of Court \$100.00 in  
8 monetary sanctions based on plaintiff's failure to comply with the court's order and  
9 failure to prosecute her case.
- 10 2. Within 28 days of this order, plaintiff shall show cause in writing why this action  
11 should not be dismissed pursuant to Federal Rule of Civil Procedure 41(b) for  
12 plaintiff's failure to comply with the court's order and failure to prosecute her case.
- 13 3. Within 28 days of this order, plaintiff shall file a first amended complaint that  
14 complies with the court's April 17, 2015 order.
- 15 4. Failure to timely comply with this order will result in a recommendation that the  
16 action be dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(b).
- 17 5. Alternatively, if plaintiff concludes that she no longer wishes to pursue the action at  
18 this time, she may instead file a notice of voluntary dismissal of the action without  
19 prejudice in lieu of paying the sanctions, responding to the order to show cause, and  
20 filing a first amended complaint, as outlined above.
- 21 6. The Clerk of Court shall serve another copy of the court's prior April 17, 2015 order  
22 on plaintiff along with this order.

23 IT IS SO ORDERED.

24 Dated: May 21, 2015

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27 KENDALL J. NEWMAN  
28 UNITED STATES MAGISTRATE JUDGE