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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	LEONARD TOBIA,	No. 2:16-cv-2468-TLN-KJN (PS)
12	Plaintiff,	
13	v.	ORDER TO SHOW CAUSE
14	THE PEP BOYS MANNY MOE & JACK OF CALIFORNIA, et al.	
15	Defendants.	
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18	On March 2, 2017 this matter came on for an initial scheduling conference. <sup>1</sup> (ECF No. 5.)	
19	Neither plaintiff nor defendants appeared. A review of the docket for this action demonstrates	
20	that plaintiff has not yet filed with the court a statement that he has submitted the documents	
21	necessary to effectuate service of process to the U.S. Marshal, which the court directed plaintiff to	
22	do in its October 18, 2016 order. (ECF No. 3.) Furthermore, defendants' non-appearance in this	
23	action thus far suggests that plaintiff has not yet provided the U.S. Marshal with the necessary	
24	service of process documents.	
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27	<sup>1</sup> This action proceeds before the undersigned pursuant to E.D. Cal. L.R. 302(c)(21) and 28 U.S.C. § 636(b)(1).	
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1	Accordingly, IT IS HEREBY ORDERED that:	
2	1. Within fourteen (14) days of this order, plaintiff shall show cause in writing why this	
3	action should not be dismissed with prejudice pursuant to Federal Rule of Civil	
4	Procedure 41(b) based on his apparent failure to supply the U.S. Marshal with the	
5	documents set forth in the court's October 18, 2016 order, failure to file a notice in	
6	this action that he supplied the U.S. Marshal with such documents, and failure to	
7	appear at the March 2, 2017 initial scheduling conference.	
8	2. Plaintiff's failure to timely comply with this order will result in a recommendation that	
9	this action be dismissed with prejudice pursuant to Federal Rule of Civil Procedure	
10	41(b).	
11	IT IS SO ORDERED.	
12	Dated: March 3, 2017	
13	Fordall P. Newman	
14	KENDALL J. NEWMAN UNITED STATES MAGISTRATE JUDGE	
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