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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRIAN GARCIA,
Plaintiff,
v.
PROCTER AND GAMBLE COMPANY,
Defendant.

No. 2:17-cv-02591-MCE-JDP

ORDER TO SHOW CAUSE WHY THIS
CASE SHOULD NOT BE DISMISSED FOR
FAILURE TO PROSECUTE AND FAILURE
TO COMPLY WITH A COURT ORDER

RESPONSE DUE WITHIN 14 DAYS

On December 1, 2020, the court issued an order resetting an initial scheduling conference for December 17, 2020 and directing the parties to file a joint status report seven days prior. ECF No. 15. Defendant timely filed a status report. ECF No. 17. Plaintiff, however, failed to separately file his own status report or join in defendant's filing. Accordingly, plaintiff is ordered to show cause why sanctions should not be imposed for his failure to comply with the court's order.

To manage its docket effectively, the court imposes deadlines on litigants and requires litigants to meet those deadlines. The court may dismiss a case for plaintiff's failure to prosecute or failure to comply with a court order. *See* Fed. R. Civ. P. 41(b); *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005). Involuntary dismissal is a harsh penalty, but

1 a district court has a duty to administer justice expeditiously and avoid needless burden for the
2 parties. *See Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1. The
3 court will give plaintiff a chance to explain why the court should not dismiss the case for
4 plaintiff's failure to prosecute and failure to comply with a court order. Plaintiff's failure to
5 respond to this order will constitute a second failure to comply with a court order and may result
6 in dismissal of this case.


7 Accordingly, it is hereby ordered that:

8 1. The initial scheduling conference currently set for December 17, 2020 is continued to
9 January 21, 2021 at 10:00 a.m.

10 2. Within 14 days of the date of entry of this order plaintiff shall file a status report and
11 show cause why sanctions should not be imposed for failure to comply with a court order.

12 IT IS SO ORDERED.

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14 Dated: December 16, 2020



JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE

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