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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN J. FUERY,

Plaintiff,

v.

CHERRY et al.,

Defendants.

No. 2:18-cv-00982-KJM-CKD

ORDER

Plaintiff filed a complaint on April 18, 2018, alleging violations of plaintiff's due process rights, under the Fifth and Fourteenth Amendments, and the Americans with Disability Act. ECF No. 1. On June 27, 2018, defendant Alexander Asterlin moved to dismiss the complaint. ECF No. 15. Neither plaintiff nor plaintiff's counsel appeared for the motion hearing on August 24, 2018. ECF No. 21. The court granted the motion to dismiss and granted plaintiff leave to amend his complaint. ECF No. 23. When plaintiff filed a motion for extension of time, citing ongoing health problems, the court granted plaintiff a 45-day extension to file an amended complaint. ECF Nos. 22, 24. Plaintiff did not meet this deadline, but instead filed another motion for an extension. ECF Nos. 25, 26. Again, the court granted the extension, this time for 30 days. ECF No. 27. Plaintiff requested and the court granted two more 30-day extensions. ECF Nos. 29–31. Now, plaintiff has not met the most recent deadline to file an amended complaint and has not requested another extension.

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IT IS THEREFORE ORDERED that plaintiff show cause within seven (7) days of the date of this order why this case should not be dismissed for his failure to prosecute. Fed. R. Civ. P. 41(B).

DATED: March 1, 2019.


UNITED STATES DISTRICT JUDGE