

E-Filed 9/6/11

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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA
8 SAN FRANCISCO DIVISION
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10 GARY MILANO,

No. C 11-01516 RS

11 Plaintiff,

ORDER TO SHOW CAUSE

12 v.

13 CITY OF WALNUT CREEK, et al.,

14 Defendants.
15 _____/

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17 On March 29, 2011, pro se plaintiff Gary Milano filed a complaint against defendants City
18 of Walnut Creek, Sgt. M. McLaughlin, Officer R. Dickey, and Robert Taylor. Milano did not serve
19 any of the defendants with the summons and complaint as required by Federal Rule of Civil
20 Procedure 4 and therefore none have appeared in the case. Although he subsequently filed a First
21 Amended Complaint on June 24, 2011, he still has not served the defendants. Furthermore, Milano
22 failed to appear at the initial Case Management Conference, which was held on September 1, 2011.
23 Accordingly, Milano is hereby ordered to show cause in writing why this case should not be
24 dismissed for failure to prosecute. His show cause response must be filed in this Court no later than
25 **September 29, 2011**. Milano is further directed to appear for a show cause hearing on **October 6,**
26 **2011, at 1:30 p.m.** in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate
27 Avenue, San Francisco, California. Failure to file a response or to appear at the hearing will result
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1 in dismissal of the action. Milano may wish to consult the Court's "Handbook for Litigants Without
2 a Lawyer," available from the Clerk's Office or on the Court's website at
3 <http://www.cand.uscourts.gov/prosehandbk>.

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5 IT IS SO ORDERED.

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7 Dated: 9/6/11



8 RICHARD SEEBORG
9 UNITED STATES DISTRICT JUDGE

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THIS IS TO CERTIFY THAT A HARD COPY OF THIS ORDER WAS MAILED TO:

Gary Lee Milano
3710 Lone Tree Way, #113
Antioch, CA 94509

DATED: 9/6/11

/s/ Chambers Staff
Chambers of Judge Richard Seeborg