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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DIONNE CHOYCE,  
Plaintiff,  
v.  
SF BAY AREA INDEPENDENT MEDIA  
CENTER, et al.,  
Defendants.

Case No. 13-cv-01842-JST

**ORDER TO SHOW CAUSE WHY  
PLAINTIFF SHOULD NOT BE  
SANCTIONED FOR FAILING TO  
FOLLOW COURT'S PRETRIAL  
ORDER; CONTINUING CASE  
MANAGEMENT CONFERENCE**

United States District Court  
Northern District of California

Plaintiff having failed to file a Case Management Statement by July 24, 2013 as required by the Court's order dated April 23, 2013, ECF No. 3, the Case Management Conference currently scheduled for July 31, 2013 is CONTINUED to August 28, 2013 at 2:00 p.m. A Joint Case Management Statement must be filed not later than August 14, 2013.

At the same date and time, Plaintiff Dionne Choyce and his attorney are ORDERED TO SHOW CAUSE why monetary sanctions should not be imposed for their failure to file a Case Management Statement by July 24, 2013 as ordered. Failure of counsel or of a party to follow a pretrial order is grounds for the imposition of sanctions, including monetary sanctions, dismissal, or other appropriate action. See Fed R. Civ. Pro. 16(f)(1)(C); Lucas Auto. Eng'g, Inc. v. Bridgestone/Firestone, Inc., 275 F.3d 762, 769 (9th Cir. 2001); Ayers v. City of Richmond, 895 F.2d 1267, 1269-70 (9th Cir. 1990); see also Zambrano v. City of Tustin, 885 F.2d 1473, 1476-81 (9th Cir. 1989) (violation of local rules also sanctionable pursuant to court's inherent and statutory authority).

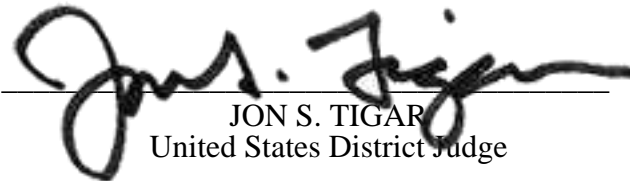
The Court also notes that Plaintiff has yet to file with the Court any Proof of Service that he has served Defendants in this action, as required by Rule 4(l)(1) of the Federal Rules of Civil

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Procedure. If Plaintiff has not done so by August 23, he is also ORDERED TO SHOW CAUSE why the complaint should not be dismissed pursuant to Rule 4(m). That matter will be considered at the same time and place as the aforementioned hearing.

**IT IS SO ORDERED.**

Dated: July 29, 2013

  
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JON S. TIGAR  
United States District Judge