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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

K.B., a Successor-in-Interest to Decedent)	Case No.: C-14-04676 LB
ROBBIE SPRIGGS, by and through his)	
Guardian Ad Litem, KIYERA BYRONE;)	
BRENDA COOK, an individual, and JOHN)	
SPRIGGS, an individual)	ORDER TO SHOW CAUSE
)	
Plaintiffs,)	
)	
vs.)	
)	
COUNTY OF ALAMEDA, a municipal)	
corporation; ANTHONY ANIASCO, in his)	
individual and official capacity as a Sergeant for)	
the Alameda County Sheriff's Department,)	
GLENN ARRIVAS, in his individual and official)	
capacity as a Deputy for the Alameda County)	
Sheriff's Department, and DOES 1-50,)	
)	
Defendants.)	

**ORDER TO APPEAR IN COURT AND SHOW CAUSE WHY MINOR PLAINTIFF K.B.'S
CASE SHOULD NOT BE DISMISSED WITH PREJUDICE**

KIYERA BYRONE, Minor Plaintiff K.B.'s mother and guardian ad litem in this action, is hereby **ORDERED TO PERSONALLY APPEAR** on **NOVEMBER 19, 2015 at 11:00 a.m.** in this Court, **450 Golden Gate Avenue, San Francisco, CA, 15th Floor, Courtroom C**, to explain why she has not provided proof of paternity, in the form of a DNA sample, of her son, pursuant to the settlement agreement reached in this case on May 27, 2015.

That settlement was conditioned on approval by the COUNTY OF ALAMEDA Board of Supervisors and subject to approval by this Court of Minor K.B.'s minor's compromise. Neither approval by the Board of Supervisors, nor approval of the minor's compromise, can occur until the the DNA testing occurs. Nearly 6 months have passed, and Ms. BYRONE has failed to produce Minor Plaintiff K.B. for DNA testing.

1 Failure of Ms. BYRONE to appear at the November 19, 2015 Order to Show Cause
2 hearing **may result in the dismissal with prejudice of all of Minor Plaintiff K.B.'s, claims and**
3 **causes of action in this action.** Such a dismissal would result in Minor Plaintiff K.B. being
4 **forever barred from any recovery relating to the death of his alleged father, Decedent**
5 **ROBBIE SPRIGGS.**

6 Should Ms. BYRONE provide proof through her attorney, Ben Nisenbaum, Law Offices of
7 John Burris, that the DNA sample has been taken for testing prior to the November 19, 2015
8 hearing on this Order to Show Cause, the Court shall discharge the Order to Show Cause.

9 **FAILURE TO COMPLY WITH THIS ORDER TO SHOW CAUSE MAY RESULT**
10 **IN OUTRIGHT DISMISSAL WITH PREJUDICE OF ALL OF MINOR PLAINTIFF**
11 **K.B.'S CLAIMS AND CAUSES OF ACTION, CAUSING K.B. TO RECOVER NOTHING**
12 **RELATED TO THE DEATH OF DECEDENT ROBBIE SPRIGGS.**

13 Dated: November 10, 2015

14 
15 _____
16 Laurel Beeler
17 UNITED STATES MAGISTRATE JUDGE