

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TERRY RAWLINS,
Plaintiff,
v.
REGENTS OF THE UNIVERSITY OF
CALIFORNIA,
Defendant.

Case No. [15-cv-00809-MEJ](#)

SECOND ORDER TO SHOW CAUSE

On February 23, 2015, Plaintiff Terry Rawlins filed this employment discrimination case against Defendant Regents of the University of California, at which time the matter was set for a Case Management Conference on May 28, 2015. Dkt. Nos. 1-2. However, as of May 22, it was not clear whether service of the summons and complaint has been completed in compliance with Federal Rule of Civil Procedure 4, and no joint or separate case management statement had been filed by the May 21 deadline. Accordingly, the Court ordered Plaintiff to show cause why the case should not be dismissed for failure to prosecute. Dkt. No. 5.

After the Court issued the Order to Show Cause, Defendant appeared and filed a request to continue the Case Management Conference by one month, stating it was served on May 1, but the parties had not had an opportunity to meet and confer. Dkt. No. 8. The Court granted Defendant's request and continued the Case Management Conference to June 25, 2015, with the parties' joint statement due June 18. Dkt. No. 10.

On June 18, 2015, Defendant filed a separate Case Management Statement, stating that it attempted on multiple occasions to confer with Plaintiff, including two email communications and three phone calls, and also prepared and sent Plaintiff a draft Joint Case Management Statement for his consideration, but had not heard back from him. Dkt. No. 14. Plaintiff has not filed his

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

own case management statement and has made no appearance in this case since May 5, 2015.

Accordingly, the Court hereby ORDERS Plaintiff Terry Rawlins to show cause why this case should not be dismissed for failure to prosecute and failure to comply with court deadlines. Plaintiff shall file a declaration by July 2, 2015. If a responsive declaration is filed, the Court shall either issue an order based on the declaration or conduct a hearing on July 16, 2015 at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San Francisco, California. Notice is hereby provided to Plaintiff that the Court may dismiss this case without a hearing if no responsive declaration is filed. Thus, it is imperative that the Court receive a written response by the deadline above.

The June 25, 2015 Case Management Conference is VACATED.

IT IS SO ORDERED.

Dated: June 22, 2015



MARIA-ELENA JAMES
United States Magistrate Judge

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3
4 TERRY RAWLINS,
5 Plaintiff,

6 v.

7 UC OFFICE OF THE PRESIDENT,
8 Defendant.

Case No. [15-cv-00809-MEJ](#)

CERTIFICATE OF SERVICE

9
10 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S.
11 District Court, Northern District of California.

12 That on June 22, 2015, I SERVED a true and correct copy(ies) of the attached, by placing
13 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by
14 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery
15 receptacle located in the Clerk's office.

16 Terry Rawlins
17 1 Wood St.
18 Apt.5
19 San Francisco, CA 94118

20 Dated: June 22, 2015

21 Richard W. Wieking
22 Clerk, United States District Court

23 

24 Chris Nathan, Deputy Clerk to the
25 Honorable MARIA-ELENA JAMES
26
27
28