

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

YVONNE FLETCHER, et al.,

Plaintiffs,

v.

CITY AND COUNTY OF SAN  
FRANCISCO, et al.,

Defendants.

Case No. 16-cv-01046-JSC

**ORDER TO SHOW CAUSE**

Plaintiffs bring this civil rights case against Defendants for the wrongful death of Alvin Haynes. (Dkt. No. 1.) On August 10, 2016, Defendants filed a motion to dismiss the complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim. (Dkt. Nos. 17, 18.) The parties thereafter stipulated to the withdrawal of Defendants' motion to dismiss and to allowing Plaintiffs to file a new amended complaint, with the Court's permission. (Dkt. No. 21.) The Court entered the parties' stipulation on August 23, 2016, with a deadline for Plaintiffs to file a new complaint on September 6, 2016. (Dkt. No. 22.) Plaintiffs failed to file a new complaint. And the parties failed to submit a joint case management conference statement on October 20, 2016 as required. (Dkt. No. 23.)

Accordingly, Plaintiffs are ORDERED TO SHOW CAUSE as to why this action should not be dismissed for failure to prosecute pursuant Federal Rule of Civil Procedure 41(b). Plaintiffs shall file a written response to this Order by October 28, 2016. Failure to respond to this Order will result in the dismissal of this action. *See Yourish v. California Amplifier*, 191 F.3d 983, 991 (9th Cir. 1999).

The October 27, 2016 case management conference is VACATED. A case management conference is scheduled for December 1, 2016 at 1:30 p.m. The parties shall submit a joint case

1 management conference statement one week prior.

2 **IT IS SO ORDERED.**

3 Dated: October 24, 2016

4  
5   
6 JACQUELINE SCOTT CORLEY  
7 United States Magistrate Judge  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28