

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA

3 ANTONIO GILMORE,  
4 Plaintiff,

5 v.

6 KATRINA LAKE, et al.,  
7 Defendants.  
8

Case No. [16-cv-06518-MEJ](#)

**ORDER TO SHOW CAUSE**

9 On November 9, 2016, Plaintiff Antonio Gilmore filed a Complaint and an Application to  
10 Proceed in Forma Pauperis. Compl., Dkt. No. 1; Appl., Dkt. No. 2. On November 9, 2016, the  
11 Clerk of Court directed Plaintiff to either consent to or decline magistrate jurisdiction within 14  
12 days of filing, or November 23, 2016; the Clerk also set case management deadlines. *See* Order  
13 Setting Initial CMC and ADR Deadlines (“CMC Order”), Dkt. No. 3. On November 21, 2016, the  
14 undersigned granted Plaintiff’s Application. Dkt. No. 4. The Court served each of these  
15 documents on Plaintiff at the address he had provided to the Court via first class mail. Each  
16 document was returned to the Court as undeliverable. *See* First Mail Return Receipt, Dkt. No. 6;  
17 Second Mail Return Receipt, Dkt. No. 7; Third Mail Return Receipt, Dkt. No. 8). Plaintiff has  
18 failed to update his address of record with the Court, and has not prosecuted the action since  
19 initially filing the Complaint.

20 Based on this inaction, the Court hereby **ORDERS** Plaintiff Antonio Gilmore to show  
21 cause why this case should not be dismissed for failure to prosecute and failure to comply with  
22 court deadlines. Plaintiff shall file a declaration by February 6, 2017. If a responsive declaration  
23 is filed, the Court shall either issue an order based on the declaration or conduct a hearing on  
24 February 9, 2017 at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San  
25 Francisco, California. Notice is hereby provided that failure to file a written response will be  
26 deemed an admission that Plaintiff does not intend to prosecute, and the case will be dismissed

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without prejudice. Thus, it is imperative that the Court receive a written response by the deadline above.

**IT IS SO ORDERED.**

Dated: January 25, 2017

  
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MARIA-ELENA JAMES  
United States Magistrate Judge