

United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GINO Q. ESPINOSA,  
Plaintiff,  
v.  
CITY AND COUNTY OF SAN  
FRANCISCO, et al.,  
Defendants.

Case No. 17-cv-01766-KAW

**ORDER TO SHOW CAUSE**

On March 29, 2018, the parties held a settlement conference, in which the case was settled in full. (Dkt. No. 36.) On April 5, 2018, the Court ordered Plaintiff to file a dismissal within 60 days of the date of the order, absent any extension ordered by the Court. (Dkt. No. 37.) After Plaintiff failed to file a timely dismissal, the Court ordered Plaintiff to file a dismissal or for the parties to file a joint status report explaining why the case has yet to be dismissed by June 22, 2018. (Dkt. No. 38.)

On June 22, 2018, Defendant filed a status report, stating that Defendant was waiting for Plaintiff to send back the Request for Dismissal and Proposed Order of Dismissal, which was sent on May 31, 2018. (Dkt. No. 39 at 2.) Defendant also stated that once received, Defendant would need approximately 45 days to finalize the settlement. (Dkt. No. 39.) Plaintiff did not respond to the Court's order.


On June 29, 2018, the Court ordered Plaintiff to file a dismissal within 60 days of the date of the order, or for the parties to file a joint status report explaining why the case has yet to be dismissed. The Court warned that if Plaintiff again failed to file a dismissal or joint status report, the Court would issue an order to show cause as to why Plaintiff should not be sanctioned for repeatedly failing to comply with court orders.

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Plaintiff's dismissal or the joint status report was due by August 28, 2018. As of the date of this order, no dismissal or joint status report has been filed. Accordingly, the Court ORDERS Plaintiff to show cause, by **September 24, 2018**, why Plaintiff should not be sanctioned for failing to comply with court orders by: (1) filing a dismissal or joint status report, and (2) explaining why Plaintiff failed to comply with the Court's prior two orders. Failure to timely respond may result in the Court sanctioning Plaintiff \$500.00.

IT IS SO ORDERED.

Dated: September 10, 2018

  
KANDIS A. WESTMORE  
United States Magistrate Judge