

1 *E-Filed: May 20, 2014*

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7 NOT FOR CITATION
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 LIEN QUY PHAN,

No. C14-00221 HRL

12 Plaintiff,

**ORDER TO SHOW CAUSE RE:
FAILURE TO PROSECUTE**

13 v.

14 USCIS FIELD OFFICE DIRECTOR,

15 Defendant.
_____ /

16 Plaintiff Lien Quy Phan filed a complaint on January 14, 2014 seeking judicial review of the
17 denial of his naturalization application by the United States Citizenship and Immigration Service
18 (USCIS). *See* Dkt. No. 1. The initial case management conference was set for May 20, 2014. *See*
19 Dkt. No. 3. A clerk's notice was issued reminding Phan to file a consent or declination to proceed
20 before a magistrate judge. *See* Dkt. No. 4. Phan has yet to file a consent or declination to proceed
21 before a magistrate judge, and he did not submit a case management statement or appear at the case
22 management conference. Additionally, it does not appear that Phan has properly served the
23 defendant as a summons has not been issued, and the 120-day period for doing so has already run.
24 Accordingly, Phan is now **ORDERED to appear on June 3, 2014, at 10:00 a.m.** in Courtroom 2,
25 Fifth Floor, United States District Court, 280 S. First Street, San Jose, CA 95113, to show cause, if
26 any, why this case should not be dismissed for failure to prosecute.

27 **IT IS SO ORDERED.**

28 Dated: May 20, 2014

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HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

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C14-00221 HRL Notice will be mailed to:

Teresa Thu Huong Nguyen-Hung lsthuhuong@gmail.com

Counsel are responsible for distributing copies of this document to co-counsel who have not registered for e-filing under the court's CM/ECF program.