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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

HARLAN DEAN GRAVES,
Plaintiff,
v.
LUIS MOSQUEDA,
Defendant.

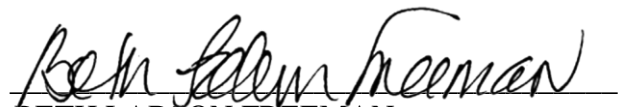
Case No. [16-cv-03736-BLF](#)

**ORDER TO SHOW CAUSE RE
DISMISSAL**

On December 14, 2016, this Court granted in part Defendant Luis Mosqueda's motion to dismiss Plaintiff Harlan Dean Graves Jr.'s complaint. ECF 19. The Court further ordered Graves to file an amended complaint on or before January 13, 2017. *Id.* at 5. Plaintiff did not file an amended complaint within the time provided and still has not done so. Accordingly, the Court **ORDERS** Plaintiff to show cause, in writing, **on or before February 10, 2017**, why this action should not be dismissed for failure to comply with this Court's order and for failure to prosecute. If Plaintiff does not respond by February 10, 2017, the Court will dismiss the action pursuant to Federal Rule of Civil Procedure 41(b) without further notice. Fed. R. Civ. P. 41(b); *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005).

IT IS SO ORDERED.

Dated: January 19, 2017


BETH LABSON FREEMAN
United States District Judge