2 3 4 5 6 7 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 8 AT SEATTLE 9 GREGORY GOMES, CASE NO. C17-0864JLR 10 11 Plaintiff, ORDER OF DISMISSAL v. 12 THE BOEING COMPANY, 13 Defendant. 14 On June 19, 2017, the court ordered Plaintiff Gregory Gomes, who is proceeding 15 16 pro se and in forma pauperis, to show cause why the court should not dismiss his 17 complaint pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). (See 6/19/17 Order (Dkt. # 5) at 18 1-3.) The court indicated to Mr. Gomes that his untimely EEOC charge appeared to 19 foreclose his claim. (Id. at 1-3; see EEOC Charge (Dkt. #4-1) at 1.) Mr. Gomes did not 20 respond to the court's order. (See Dkt.) He did, however, file a praecipe asking the court 21 to issue summons. (Pr. (Dkt. #6).) That praecipe attaches the same complaint that Mr. 22

Gomes initially filed and the court addressed in its order to show cause. (Compare id. at 2-4, 10, with Compl. (Dkt. # 4) at 1-3, and EEOC Charge (Dkt. # 4-1) at 1.) 2 The court's order to show cause cautioned Mr. Gomes that failure to timely 3 4 respond to the court's order or remedy the deficiencies identified in the order would result in the dismissal of his complaint. (6/19/17 Order at 4.) Mr. Gomes failed to 5 6 respond to the order to show cause (see Dkt.), and his only filing subsequent to the 7 court's order to show cause fails to cure the deficiencies that the court identified (see 8 6/19/17 Order at 1-4; Pr. at 1-10). Accordingly, the court concludes that Mr. Gomes's untimely EEOC charge forecloses his claim and DISMISSES his complaint with 9 10 prejudice and without leave to amend. Dated this 12 day of July, 2017. 11 12 JAMES IL. ROBART 13 United States District Judge 14 15 16 17 18 19 20 21

22