

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DOMINGO GERMAN MACAVILCA,

Plaintiff,

v.

ALYSSA McCLUSKEY *et al.*,

Defendants.

Case No. C08-5263RJB/JKA

ORDER TO SHOW CAUSE WHY  
THIS ACTION SHOULD NOT BE  
DISMISSED FOR FAILURE TO  
PROSECUTE

This Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). Defendants filed a notice of appearance on October 2, 2008, (Dkt. # 16). They have not answered the complaint or filed any dispositive motion pursuant to Fed. R. Civ. P. 12.

It is plaintiff's obligation to prosecute this action and move the case forward. Other than a change of address filed February 18, 2009, nothing has been filed (Dkt. # 17).

Plaintiff is now **ORDERED TO SHOW CAUSE** why this action should not be dismissed for failure to prosecute. A response to this order is due on or before **April 3, 2009**. Failure to respond, or an inadequate response, will result in a Report and Recommendation that this action be **DISMISSED WITH PREJUDICE**. The Clerk is directed to send a copy of this Order to plaintiff, and counsel for defendants.

DATED this 2 day of March, 2009.

/S/ J. Kelley Arnold  
J. Kelley Arnold  
United States Magistrate Judge

ORDER PAGE 1