

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Carey v. Torres

Carey v. Torres · No. 24-cv-09534-TSH · Decided February 25, 2025

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 NORTHERN DISTRICT OF CALIFORNIA 6 7
CECILIA CAREY and KARREN Case No. 24-cv-09534-TSH MOORER, 8 Plaintiffs, ORDER
TO SHOW CAUSE 9 v. 10 MAURICIO TORRES, et al., 11 Defendants. 12 13 On December 31,
2024, Plaintiffs Cecilia Carey and Karren Moorer initiated this lawsuit 14 by filing a complaint
(ECF No. 1) and applications to proceed in forma pauperis (ECF Nos. 2, 3).

15 On January 23, 2025, the Court granted the ifp applications but found the complaint deficient
16 under 28 U.S.C. § 1915(e). ECF No. 8. The Court directed Plaintiffs to file a first amended 17
complaint by February 24, 2025.

The Court also warned Plaintiffs that failure to cure the 18 deficiencies would result in the case
being reassigned to a district judge with a recommendation 19 for dismissal. No response has been
received, and Plaintiffs have otherwise made no appearance 20 since filing their complaint in
December. 21 The Court possesses the inherent power to dismiss an action sua sponte “to achieve
the 22 orderly and expeditious disposition of cases.” Link v. Wabash R.R.

Co., 370 U.S. 626, 629-33 23 (1962). Accordingly, the Court ORDERS Plaintiffs Cecilia Carey
and Karren Moorer to show 24 cause why this case should not be dismissed for failure to
prosecute and failure to comply with 25 court deadlines. Plaintiffs shall file a declaration by
March 11, 2025. Notice is hereby provided 26 that failure to file a written response will be
deemed an admission that you do not intend to 27 1 prosecute, and this case will likely be
dismissed.

Thus, it is imperative the Court receive a written 2 || response by the deadline above. 3 IT IS SO
ORDERED. 4 5 Dated: February 25, 2025 6 TAA. lj THOMAS S. HIXSON 7 United States
Magistrate Judge 8 9 10 ll a 12 14 © 15 4 16 17 Zz 18 19 20 21 22 23 24 25 26 27 28