

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE DIVISION**

ROQUE “ROCKY” DE LA FUENTE  
GUERRA,

Plaintiff,

v.

CASE NO. 4:16cv196-RH/CAS

STATE OF FLORIDA and  
FLORIDA SECRETARY OF STATE,

Defendant.

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**ORDER TO SHOW CAUSE WHY THE CASE SHOULD  
NOT BE DISMISSED FOR FAILURE TO PROSECUTE**

The defendant has filed a unilateral Federal Rule of Civil Procedure 26(f) report indicating that the plaintiff has not participated in a 26(f) attorney conference and has not responded to the defendant’s efforts to arrange a conference. The unilateral report also includes assertions that, if true, call into question the plaintiff’s compliance with Federal Rule of Civil Procedure 11.

Compliance with Rules 11 and 26(f) and with the Initial Scheduling Order, ECF No. 7, is mandatory, not optional. If the plaintiff wishes to continue with the case, he must comply with the rules. This order gives the plaintiff an opportunity

to respond to the allegation that he has not complied with Rule 26(f) and the Initial Scheduling Order. If the plaintiff does not respond by the deadline, the case will be dismissed.

For these reasons,

IT IS ORDERED:

The plaintiff must show cause by July 14, 2016, why this case should not be dismissed for failure to prosecute and for failure to comply with Federal Rule of Civil Procedure 26(f) and the Initial Scheduling Order. Any response to this order must either (a) explicitly abandon the case or (b) indicate that the plaintiff intends to go forward and to comply with the rules.

SO ORDERED on June 26, 2016.

s/Robert L. Hinkle

United States District Judge