

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

JOSEPH R. TOMELLERI,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 17-2446-CM
	)	
GLENBOW FLYFISHING,	)	
	)	
Defendants.	)	

**NOTICE AND ORDER TO SHOW CAUSE**

TO THE PLAINTIFF BY AND THROUGH HIS ATTORNEY:

The Complaint in this case was filed August 7, 2017. On April 20, 2018, summons was returned showing execution upon defendant Glenbow Flyfishing on March 9, 2018 (ECF No. 11). As stated in the summons, defendant’s response to the complaint was due within 21 days of service of the summons pursuant to Fed. R. Civ. P. 12.

To date, defendant has not filed an answer to plaintiff’s complaint and no further action has been taken in this matter. Therefore, the court orders plaintiff to show cause in writing to the Honorable Carlos Murguia, United States District Judge, on or before **June 1, 2018**, why this case should not be dismissed, with prejudice, for lack of prosecution under Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

Dated May 23, 2018, in Kansas City, Kansas.

s/ James P. O’Hara  
James P. O’Hara  
U.S. Magistrate Judge