

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 22-2051-TC-ADM
)	
DONALD J. WALDSCHMIDT, II., <i>et al.</i> ,)	
)	
Defendants.)	

NOTICE AND ORDER TO SHOW CAUSE

To the plaintiff, the United States of America (“United States”), by and through its attorney:

On February 4, 2022, the United States filed a complaint against defendants Donald J. Waldschmidt, II and Lisa Waldschmidt (collectively, “the Waldschmidts”). (ECF 1.) The docket reflects that on the same day, the United States sent copies of the complaint and waivers of service of summons to the Waldschmidts. (ECF 4-5.) The docket further reflects that the Waldschmidts agreed to waive service of summons, making their answers to the complaint due by April 5, 2022. (*Id.*) To date, the Waldschmidts have not answered or appeared in this case. The United States has not moved for a clerk’s entry of default or taken any other action in this case. For this reason, the court orders the United States to show cause in writing by **May 9, 2022**, why the court should not recommend that the district judge dismiss its case against the Waldschmidts for failure to prosecute under FED. R. CIV. P. 41(b).

IT IS SO ORDERED.

Dated April 25, 2022, at Kansas City, Kansas.

s/ Angel D. Mitchell
Angel D. Mitchell
U.S. Magistrate Judge