

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

AT BECKLEY

ANNA WHITE FERRARACCIO,

Plaintiff,

v.

CIVIL ACTION NO. 5:24-cv-00700

NEW PEOPLES BANK,

Defendant.

ORDER

On February 21, 2025, the Court entered its Order and Notice [ECF 14], setting an April 28, 2025, deadline by which the parties -- consisting of a *pro se* Plaintiff and a Defendant represented by counsel -- were to file a report of the parties' Rule 26(f) Planning Meeting and Scheduling Order Worksheet. The parties failed to file the required report by the deadline. On April 29, 2025, the Court ordered the parties to file the required Rule 26(f) report by May 2, 2025, and to show cause in writing by that same date explaining their failure to comply with the Court's order and local rules. [ECF 20].

On April 30, 2025, Defendant filed the required report [ECF 21], as well as a response to the Court's show cause order [ECF 22]. In its response, Defendant states that its attempts to contact Plaintiff since March 19, 2025, have been fruitless. [*Id.* at 2]. Thus, the Rule 26(f) report filed by Defendant consists of "what Counsel for Defendant believes is the majority of what was 'agreed' with the Plaintiff in exchanges of emails." [*Id.*]. Plaintiff has made no response to the Court's Order.

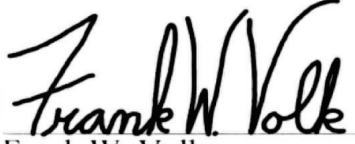
Accordingly, the unrepresented Plaintiff is **ORDERED** to appear **on May 7, 2025, at 3:00 p.m. in Charleston** to show cause for her failure to follow *Local Rule of Civil Procedure* 16.1 in conferring and submitting their Rule 26(f) report, as well as for Plaintiff's failure to respond to the Court's April 29, 2025, Order.

Plaintiff is NOTICED that her failure to appear as directed will result in the dismissal of this action for failure to prosecute under *Federal Rule of Civil Procedure* 41.

The Court **DIRECTS** the Clerk to send a copy of this Order to Magistrate Judge Joseph K. Reeder, to counsel of record, and to Plaintiff, Anna White Ferraraccio, by certified mail, return receipt requested at her last known address.

ENTER: May 5, 2025




Frank W. Volk
Chief United States District Judge