UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT STRINGFELLOW,

Plaintiff,

v.

B. FORESTER, et al.,

Defendants.

No. 2:15-cv-1659-JAM-EFB P

FINDINGS AND RECOMMENDATIONS

On March 30, 2016, plaintiff's complaint was dismissed with leave to amend. That order explained the deficiencies in the complaint and granted plaintiff thirty days to file an amended complaint to cure the deficiencies identified in the screening order. Plaintiff was admonished that failure to file an amended complaint would result in a recommendation that this action be dismissed. ECF No. 11. The time for acting has passed and plaintiff has not filed an amended complaint or otherwise responded to the court's order.

A party's failure to comply with any order or with the Local Rules "may be grounds for imposition by the Court of any and all sanctions authorized by statute or Rule or within the inherent power of the Court." E.D. Cal. Local Rule 110. The court may dismiss an action with or without prejudice, as appropriate, if a party disobeys an order or the Local Rules. *See Ferdik v. Bonzelet*, 963 F.2d 1258, 1263 (9th Cir. 1992) (district court did not abuse discretion in dismissing pro se plaintiff's complaint for failing to obey an order to re-file an amended

complaint to comply with Federal Rules of Civil Procedure); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988) (dismissal for pro se plaintiff's failure to comply with local rule regarding notice of change of address affirmed).

Accordingly, it is hereby RECOMMENDED that this action be dismissed. Fed. R. Civ. P. 41(b); E. D. Cal. Local Rule 110.

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within fourteen days after being served with these findings and recommendations, plaintiff may file written objections with the court. The document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file objections within the specified time may waive the right to appeal the District Court's order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

DATED: May 17, 2016.

EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE