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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

UNITED AFRICAN-ASIAN ABILITIES CLUB,

 Plaintiff,

 v.

CITY LIGHTS ON FIG LP, et al.,

 Defendants.

Case No. CV 16-6199 FMO (Ex)

FURTHER ORDER TO SHOW CAUSE

Plaintiff filed its complaint on August 18, 2016. On September 15, 2016, the court granted the parties' stipulation to extend time, until October 11, 2016, to respond to the complaint. (See Court's Order of September 15, 2016). Defendants did not file an answer or a motion pursuant to Federal Rule of Civil Procedure 12(b) by October 11, 2016. (See, generally, Dkt.). By order filed on November 1, 2016, plaintiff was ordered to show cause, on or before November 3, 2016, why this action should not be dismissed for lack of prosecution. (See Court's Order of November 1, 2016). As of the date of this Order, plaintiff has not filed any response to the Court's Order to Show Cause. Nor has plaintiff filed an application for entry of default by clerk. (See, generally, Dkt.).

A district court may dismiss an action for failure to prosecute or to comply with court orders. Fed. R. Civ. P. 41(b); Link v. Wabash Railroad Co., 370 U.S. 626, 629-30, 82 S.Ct. 1386 (1962) (authority to dismiss for failure to prosecute necessary to avoid undue delay in disposing of cases

1 and congestion in court calendars); Ferdik v. Bonzelet, 963 F.2d 1258, 1260 (9th Cir.), cert.
2 denied, 506 U.S. 915, 113 S.Ct. 321 (1992) (district court may dismiss action for failure to comply
3 with any court order).

4 Given that dismissal is a severe penalty, see Thompson v. Housing Authority of Los
5 Angeles, 782 F.2d 829, 831 (9th Cir.), cert. denied, 479 U.S. 829, 107 S.Ct. 112 (1986), the court
6 will grant plaintiff one final opportunity to respond to the Order to Show Cause or file an application
7 for entry of default by clerk.

8 Based on the foregoing, IT IS ORDERED that:

9 1. No later than **November 16, 2016**, plaintiff shall file a Response to the Order to Show
10 Cause or file an application for entry of default by clerk.

11 2. Plaintiff is cautioned that failure to file a Response or an application for entry of default
12 by the deadline set forth above shall result in the dismissal of this action without prejudice for
13 failure to prosecute and comply with the court's orders. Fed. R. Civ. P. 41(b); Link, 370 U.S. at
14 629-30.

15 Dated this 10th day of November, 2016.

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17 /s/
18 Fernando M. Olguin
19 United States District Judge
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