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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RAMIRO ROMERO,

CASE NO. 1:08-cv-00669-LJO-MJS (PC)

Plaintiff,

ORDER TO SHOW CAUSE WHY CASE SHOULD NOT BE DISMISSED FOR FAILURE TO COMPLY WITH A COURT ORDER

v.

JAMES A YATES, M.D., et al.,

PLAINTIFF'S SECOND AMENDED COMPLAINT OR NOTIFICATION OF HIS WILLINGNESS TO PROCEED ONLY ON COGNIZABLE EQUAL PROTECTION CLAIM DUE WITHIN THIRTY DAYS

Defendants.

_____ /

Plaintiff Ramiro Romero ("Plaintiff") is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983.

On May 18, 2011, the Court issued a Screening Order directing Plaintiff to either file a second amended complaint or notify the Court of his willingness to proceed only on his cognizable equal protection claim by June 21, 2011. (Order, ECF No. 20.) This deadline has passed, and Plaintiff has not filed a Second Amended Complaint or otherwise responded to the Order.

Local Rule 11-110 provides that "failure of counsel or of a party to comply with these Local Rules or with any order of the Court may be grounds for the imposition by the Court of any and all sanctions . . . within the inherent power of the Court." District courts have the inherent power to control their dockets and "in the exercise of that power, they may impose sanctions including, where appropriate . . . dismissal of a case." Thompson v.

1 Housing Auth., 782 F.2d 829, 831 (9th Cir. 1986). A court may dismiss an action, with
2 prejudice, based on a party's failure to prosecute an action, failure to obey a court order,
3 or failure to comply with local rules. See, e.g., Ferdik v. Bonzelet, 963 F.2d 1258, 1260-61
4 (9th Cir. 1992) (dismissal for failure to comply with an order requiring amendment of
5 complaint); Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for
6 failure to prosecute and failure to comply with local rules).

7 The Court will afford Plaintiff one additional opportunity to comply with its prior order.
8 Within **thirty (30) days** of entry of this Order, Plaintiff must submit his Second Amended
9 Complaint or notify the Court of his willingness to proceed only on his cognizable equal
10 protection claim. **Failure to comply with this Order will result in dismissal of this**
11 **action.**

12
13 IT IS SO ORDERED.

14 Dated: July 6, 2011

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE