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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LYNETTE REID,

CASE No. 1:09-cv-01200-AWI-MJS (PC)

Plaintiff,

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

v.

(ECF No. 35)

PUBLIC SAFETY CENTER, et al.,

RESPONSE DUE BY JUNE 21, 2013

Defendants.

_____ /

Plaintiff Lynette Reid is a former California state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This matter proceeds on a claim of excessive force against Defendant Johnson. Telephonic Trial Confirmation Hearing is set for June 24, 2013 at 3 PM. (ECF No. 35.) Jury Trial is set for August 6, 2013. (Id.)

Plaintiff was ordered to notify the Court by not later than September 13, 2012, whether she consented to magistrate judge jurisdiction. (Id.) The September 13, 2012 deadline passed without Plaintiff notifying the Court whether she consented or not, without seeking an extension of time to do so and without otherwise responding to the Court's Order.

1 Plaintiff also was ordered to file her pretrial statement not later than June 3,
2 2013. (Id.) She did not do so. She did not seeking an extension of time to do so or
3 otherwise respond to the Court's Order.

4 Local Rule 110 provides that "failure of counsel or of a party to comply with these
5 Rules or with any order of the Court may be grounds for imposition by the Court of any
6 and all sanctions . . . within the inherent power of the Court." District courts have the
7 inherent power to control their dockets and "in the exercise of that power, they may
8 impose sanctions including, where appropriate . . . dismissal [of a case]." Thompson v.
9 Housing Auth., 782 F.2d 829, 831 (9th Cir. 1986). A court may dismiss an action based
10 on a party's failure to prosecute an action, failure to obey a court order, or failure to
11 comply with local rules. See e.g., Ghazali v. Moran, 46 F.3d 52, 53-54 (9th Cir. 1995)
12 (dismissal for noncompliance with local rule); Ferdik v. Bonzelet, 963 F.2d 1258,
13 1260-61 (9th Cir. 1992) (dismissal for failure to comply with an order requiring
14 amendment of complaint); Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986)
15 (dismissal for lack of prosecution and failure to comply with local rules).

16 Plaintiff has not responded to the Court's Order. (ECF No. 35.)

17 Accordingly, it is HEREBY ORDERED THAT:

- 18 1. By not later than June 21, 2013, Plaintiff shall show cause why this action
19 should not be dismissed for failure to comply with the Court's Order (ECF
20 No. 35); and
- 21 2. If Plaintiff fails to show cause, all scheduled dates shall be vacated and
22 this action shall be dismissed.

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25 IT IS SO ORDERED.

26 Dated: June 13, 2013

1st Michael J. Seng
27 UNITED STATES MAGISTRATE JUDGE