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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

BERNARD BRINKLEY,  Plaintiff,  v.  PAM AHLIN, et al.,  Defendants.	CASE NO. 1:09-cv-01858-MJS (PC)  ORDER TO SHOW CAUSE WHY ACTION SHOULD NOT BE DISMISSED FOR FAILURE TO PROSECUTE  (ECF No. 19)  FIFTEEN (15) DAY DEADLINE
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Plaintiff Bernard Brinkley is a civil detainee proceeding pro se and in forma pauperis in a civil rights action pursuant to 42 U.S.C. § 1983. (ECF No. 5.) Plaintiff has consented to Magistrate Judge jurisdiction. (ECF No. 7.)

On May 24, 2012, the Court issued an order authorizing service of Plaintiff's Second Amended Complaint on Defendant Singh and requiring Plaintiff to fill out and return the USM-285 form, summons, and a notice of submission of documents form within thirty days. (ECF No. 19.) Plaintiff was advised that a failure to comply with the

1 Court's order would result in dismissal of his action. More than thirty days have passed  
2 and Plaintiff has not complied with or otherwise responded to the Court's May 24th  
3 order.

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

17  
18 Accordingly, (1) within fifteen (15) days from the date of service of this order,  
19 Plaintiff shall show cause why this action should not be dismissed for failure to  
20 prosecute, and (2) the failure to file a response to this order will result in dismissal of this  
21 action.  
22

23 IT IS SO ORDERED.

24  
25 Dated: September 5, 2012

/s/ Michael J. Seng  
UNITED STATES MAGISTRATE JUDGE