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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ISIDRO CASTRO,	)	1:11-cv-00441-SKO-HC
	)	
Petitioner,	)	ORDER TO PETITIONER TO SHOW CAUSE
	)	NO LATER THAN TWENTY-ONE (21)
	)	DAYS AFTER SERVICE OF THIS ORDER
v.	)	WHY THE ACTION SHOULD NOT BE
	)	DISMISSED FOR PETITIONER'S
B. M. CASH, Warden,	)	FAILURE TO FOLLOW THE ORDER OF
	)	THE COURT AND PROSECUTE THE
Respondent.	)	ACTION (Docs. 5, 1)
	)	
	)	

Petitioner is a state prisoner proceeding pro se and in forma pauperis with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter has been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1) and Local Rules 302 through 304. Pending before the Court is the petition, which was filed on March 16, 2011.

By order filed and served on Petitioner by mail on March 28, 2011, the Court directed Petitioner to respond to the Court's screening order and inform the Court if he was attempting to raise a claim concerning the ineffective assistance of counsel and, if so, to show cause why the petition should not be

1 dismissed for Petitioner's failure to exhaust state court  
2 remedies as to such claim. The order expressly warned Petitioner  
3 that failure to follow this order would result in dismissal of  
4 the petition pursuant to Local Rule 110.

5 More than thirty days have passed, but Petitioner has  
6 neither responded to the Court's order and order to show cause  
7 nor sought an extension of time within which to respond.

8 A failure to comply with an order of the Court may result in  
9 sanctions, including dismissal, pursuant to the inherent power of  
10 the Court or the Federal Rules of Civil Procedure. Fed. R. Civ.  
11 P. 41(b), 11; Local Rule 110; Chambers v. NASCO, Inc., 501 U.S.  
12 31, 42-43 (1991).

13 Accordingly, it is ORDERED that:

14 1. No later than twenty-one (21) days after the date of  
15 service of this order, Petitioner shall show cause why this  
16 action should not be dismissed for failure to obey the Court's  
17 order of March 28, 2011; Petitioner shall show cause in writing  
18 because the Court has determined that no hearing is necessary;  
19 and

20 2. Petitioner is INFORMED that the failure to respond to  
21 this order will result in dismissal of the action.

22  
23  
24 IT IS SO ORDERED.

25 **Dated: May 17, 2011**

**/s/ Sheila K. Oberto**  
**UNITED STATES MAGISTRATE JUDGE**