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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

AMADO ARMAS,	)	1:11-cv-00772-SKO-HC
	)	
Petitioner,	)	ORDER DIRECTING PETITIONER TO
	)	SHOW CAUSE IN WRITING WITHIN
v.	)	TWENTY-ONE (21) DAYS WHY THE
	)	ACTION SHOULD NOT BE DISMISSED
PEOPLE OF CALIFORNIA,	)	FOR FAILURE TO FILE A MOTION TO
	)	AMEND THE PETITION AND TO FOLLOW
Respondent.	)	AN ORDER OF THE COURT (DOC. 4)
	)	<b>DEADLINE: TWENTY-ONE (21) DAYS</b>
	)	

Petitioner is a state prisoner proceeding pro se 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 and 303. Pending before the Court is Petitioner's petition, which was filed in this Court on May 13, 2011.

On May 17, 2011, the Court issued an initial screening order with respect to the petition in which the Court noted that Petitioner had not named the proper respondent and granted Petitioner leave to file a motion to amend the petition and name a proper respondent no later than thirty (30) days after the date of service of the order. The order warned Petitioner that a

1 failure to move to amend the petition and state a proper  
2 respondent would result in a recommendation that the petition be  
3 dismissed for lack of jurisdiction. The order was served by mail  
4 on Petitioner on May 17, 2011.

5 To date, over thirty days have passed, but Petitioner has  
6 neither filed a motion to amend the petition nor timely sought an  
7 extension of time in which to file a motion to amend the  
8 petition.

9 A failure to comply with an order of the Court may result in  
10 sanctions, including dismissal, pursuant to the inherent power of  
11 the Court or the Federal Rules of Civil Procedure. Fed. R. Civ.  
12 P. 41(b), 11; Local Rule 110; Chambers v. NASCO, Inc., 501 U.S.  
13 31, 42-43 (1991).

14 Accordingly, it is ORDERED that:

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

21 2. The failure to respond to this order will result in  
22 dismissal of the action.

23 IT IS SO ORDERED.

24 Dated: June 24, 2011

25 /s/ Sheila K. Oberto  
26 UNITED STATES MAGISTRATE JUDGE  
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