

1 to control their dockets and “in the exercise of that power, they may impose sanctions including,
2 where appropriate . . . dismissal of a case.” Thompson v. Housing Auth., 782 F.2d 829, 831 (9th
3 Cir. 1986). A court may dismiss an action, with prejudice, based on a party’s failure to prosecute
4 an action, failure to obey a court order, or failure to comply with local rules. See, e.g. Ghazali v.
5 Moran, 46 F.3d 52, 53-54 (9th Cir. 1995)(dismissal for noncompliance with local rule); Ferdik v.
6 Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (dismissal for failure to comply with an order
7 requiring amendment of complaint); Carey v. King, 856 F.2d 1439, 1440-41 (9th Cir.
8 1988)(dismissal for failure to comply with local rule requiring pro se plaintiffs to keep court
9 apprised of address); Malone v. U.S. Postal Service, 833 F.2d 128, 130 (9th Cir. 1987)(dismissal
10 for failure to comply with court order); Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir.
11 1986)(dismissal for failure to lack of prosecution and failure to comply with local rules).

12 In determining whether to dismiss an action for lack of prosecution, failure to obey a
13 court order, or failure to comply with local rules, the court must consider several factors: (1) the
14 public’s interest in expeditious resolution of litigation; (2) the court’s need to manage its docket;
15 (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of cases on
16 their merits; and (5) the availability of less drastic alternatives. Thompson, 782 F.2d at 831;
17 Henderson, 779 F.2d at 1423-24; Malone, 833 F.2d at 130; Ferdik, 963 F.2d at 1260-61; Ghazali,
18 46 F.3d at 53.

19 Here, the Court finds that the public’s interest in expeditiously resolving this litigation
20 and the court’s interest in managing the docket weigh in favor of dismissal. The third factor, risk
21 of prejudice to defendants, also weighs in favor of dismissal, since a presumption of injury arises
22 from the occurrence of unreasonable delay in prosecuting an action. Anderson v. Air West, 542
23 F.2d 522, 524 (9th Cir. 1976). The fourth factor -- public policy favoring disposition of cases on
24 their merits -- is greatly outweighed by the factors in favor of dismissal discussed herein. Finally,
25 a court’s warning to a party that his failure to obey the court’s order will result in dismissal
26 satisfies the “consideration of alternatives” requirement. Ferdik v. Bonzelet, 963 F.2d at 1262;

