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7	UNITED STATES DISTRICT COURT		
8	FOR THE EASTERN DISTRICT OF CALIFORNIA		
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10	DUBRIN, et al.,	Case No. 1:11-cv-01484-DAD-JLT (PC)	
11	Plaintiffs,	FINDINGS AND RECOMMENDATIONS	
12	V.	TO DISMISS PLAINTIFFS FLORES AND CORMONA FOR THEIR FAILURE TO	
13	STAINER, et al.,	PROSECUTE THIS ACTION	
14	Defendants.	(Doc. 119)	
15		14 DAY DEADLINE	
15 16		14 DAY DEADLINE	
	Plaintiffs' counsel, Mark Ravis, filed	14 DAY DEADLINE a motion to withdraw from representation of Jimmy	
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16 17	Flores, Reynaldo Cormona, and Matthew Ric	a motion to withdraw from representation of Jimmy	
16 17 18	Flores, Reynaldo Cormona, and Matthew Richtat date, Mr. Ravis reported that he has sper	a motion to withdraw from representation of Jimmy chards on April 4, 2016. (Doc. 118, at 1-2.) As of	
16 17 18 19	Flores, Reynaldo Cormona, and Matthew Richtat date, Mr. Ravis reported that he has sper response to correspondence sent to each of the	a motion to withdraw from representation of Jimmy chards on April 4, 2016. (Doc. 118, at 1-2.) As of at six months trying to contact them, but received no	
16 17 18 19 20	Flores, Reynaldo Cormona, and Matthew Richtat date, Mr. Ravis reported that he has sper response to correspondence sent to each of the motion to withdraw from their representation	a motion to withdraw from representation of Jimmy chards on April 4, 2016. (Doc. 118, at 1-2.) As of at six months trying to contact them, but received no heir last known addresses. (<i>Id.</i> , at 2.) Mr. Ravis'	
16 17 18 19 20 21	Flores, Reynaldo Cormona, and Matthew Richard date, Mr. Ravis reported that he has sper response to correspondence sent to each of the motion to withdraw from their representation. Flores, Mr. Cormona, and Mr. Richards to shape the sent to shape the sent to	a motion to withdraw from representation of Jimmy chards on April 4, 2016. (Doc. 118, at 1-2.) As of at six months trying to contact them, but received no heir last known addresses. (<i>Id.</i> , at 2.) Mr. Ravis' was granted in an order which also required Mr.	
16 17 18 19 20 21 22	Flores, Reynaldo Cormona, and Matthew Richard date, Mr. Ravis reported that he has sper response to correspondence sent to each of the motion to withdraw from their representation. Flores, Mr. Cormona, and Mr. Richards to shout be dismissed from this action for their ap	a motion to withdraw from representation of Jimmy chards on April 4, 2016. (Doc. 118, at 1-2.) As of at six months trying to contact them, but received no heir last known addresses. (<i>Id.</i> , at 2.) Mr. Ravis' was granted in an order which also required Mr. how cause within twenty- one days why they should	
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The Court has the inherent power to control its docket and may, in the exercise of that power, impose sanctions where appropriate, including dismissal of the action. *Bautista v. Los Angeles County*, 216 F.3d 837, 841 (9th Cir. 2000). In determining whether to dismiss an action for failure to comply with a pretrial order, the Court must weigh "(1) the public's interest in expeditious resolution of litigation; (2) the court's need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of cases on their merits; and (5) the availability of less drastic sanctions." *In re Phenylpropanolamine (PPA) Products Liability Litigation*, 460 F.3d 1217, 1226 (9th Cir. 2006) (internal quotations and citations omitted). These factors guide a court in deciding what to do and are not conditions that must be met in order for a court to take action. *Id.* (citation omitted).

Plaintiffs Jimmy Flores and Reynaldo Cormona are no longer prosecuting this action despite being notified of the requirement to respond. The Court cannot afford to expend resources, nor will it delay a case over five years old that Plaintiffs Jimmy Flores and Reynaldo Cormona have abandoned. Based on Plaintiff's failure to comply with or otherwise respond to the April 5, 2016 OSC, there is no alternative but to dismiss them from the action for their failure to prosecute. *Id.* This action can proceed no further without the cooperation of and compliance with court orders by Plaintiffs Jimmy Flores and Reynaldo Cormona. This action has lingered long enough and cannot remain unprosecuted and idle on the Court's docket. *Id.*

Accordingly, the Court RECOMMENDS that Plaintiffs Jimmy Flores and Reynaldo Cormona be dismissed from this action with prejudice for their failure to prosecute. *In re PPA*, 460 F.3d at 1226; Local Rule 110.

These Findings and Recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(l). Within 14 days after being served with these Findings and Recommendations, the parties may file written objections with the Court. The document should be captioned "Objections to Magistrate Judge's Findings and Recommendations."

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1	The parties are advised that failure to file objections within the specified time may waiv	
2	the right to appeal the District Court's order.	Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).
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4	IT IS SO ORDERED.	
5	Dated: April 28, 2016	/s/ Jennifer L. Thurston
6		UNITED STATES MAGISTRATE JUDGE
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