

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JEFFERY SEBASTIAN GRANDISON, CASE NO. 1:11-CV-01506-LJO-MJS (PC)

Plaintiff,

v.

M. STAINER, et al.,

Defendants.

ORDER TO SHOW CAUSE WHY CASE
SHOULD NOT BE DISMISSED FOR
FAILURE TO COMPLY WITH COURT
ORDER AND FAILURE TO STATE A CLAIM

(ECF No. 17)

FOURTEEN (14) DAY DEADLINE

_____ /

On August 31, 2011, Plaintiff Jeffrey Sebastian Grandison, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983. (Compl., ECF No.4.) Plaintiff’s Complaint was dismissed by the Court on May 25, 2012 for failure to state a claim; he was given leave to file an amended pleading not later than June 25, 2012. (Order Dismiss., ECF No. 17.) The June 25th deadline has passed without Plaintiff having filed an amended complaint or a request for an extension of time to do so.

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

15 Plaintiff has not responded to the Court’s May 25, 2012 Order. The Court will give
16 him fourteen (14) days following service of this order to show cause why his case should
17 not be dismissed for failure to comply with a Court Order and failure to state a claim.
18 Failure to meet this deadline will result in dismissal of this action.
19

20
21 IT IS SO ORDERED.

22 Dated: July 3, 2012

23 Is/ Michael J. Seng
24 UNITED STATES MAGISTRATE JUDGE
25
26
27