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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CLARENCE LEON DEWS,

CASE NO. 1:12-cv-0245-AWI-MJS (PC)

Plaintiff,

v.

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

COUNTY OF KERN, et al.,

Defendants.

(ECF No. 13)

AMENDED COMPLAINT DUE WITHIN
FOURTEEN DAYS

Plaintiff Clarence Leon Dews ("Plaintiff") is a former state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

The Court screened Plaintiff's Complaint on July 16, 2012, and found that it failed to state a cognizable claim but gave Plaintiff an opportunity to file an amended complaint on or before August 16, 2012. (ECF No. 13.) August 16, 2012, has passed without Plaintiff having filed an amended complaint or a request for an extension of time to do so.

Local Rule 110 provides that "failure of counsel or of a party to comply with these Rules or with any order of the Court may be grounds for imposition by the Court of any and all sanctions . . . within the inherent power of the Court." District courts have the inherent power to control their dockets and "in the exercise of that power, they may impose sanctions including, where appropriate . . . dismissal of a case." Thompson v. Housing Auth., 782 F.2d 829, 831 (9th Cir. 1986). A court may dismiss an action based on a party's

1 failure to prosecute an action, failure to obey a court order, or failure to comply with local
2 rules. See, e.g., Ghazali v. Moran, 46 F.3d 52, 53-54 (9th Cir. 1995) (dismissal for
3 noncompliance with local rule); Ferdik v. Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992)
4 (dismissal for failure to comply with an order requiring amendment of complaint);
5 Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for lack of
6 prosecution and failure to comply with local rules).

7 Plaintiff has not adequately responded to the Court's July 16, 2012, Order. He will
8 be given one more opportunity, up to **fourteen (14) days** after entry of this Order **and no**
9 **later** to file an amended complaint or show cause why his case should not be dismissed
10 for failure to comply with a court order and failure to state a claim. **Failure to meet this**
11 **deadline will result in dismissal of this action.**

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15 IT IS SO ORDERED.

16 Dated: September 13, 2012

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE