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**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

MICHELE PETERSEN,)	1:12-cv-00933-AWI-BAM
)	
Plaintiff,)	ORDER TO SHOW CAUSE RE:
)	DISMISSAL OF ACTION
v.)	
)	
COUNTY OF STANISLAUS; CHRISTINE)	
APPLEGATE; KIM VIEIRA; BERGEN)	
FILGAS; GEORGE MEDINE; DOE 1;)	
DOE 2; DOE 3; DOE 4; DOES 5)	
through 25, inclusive,)	
)	
Defendants.)	

The Court refers the parties to previous orders for a complete chronology of the proceedings. On May 3, 2012, plaintiff Michele Petersen (“Plaintiff”) filed her complaint against defendants County of Stanislaus, Christine Applegate, Kym Vieira (erroneously sued as Kim Vieira), Bergen Filgas, George Medine (collectively “Defendants”), Doe 1, Doe 2, Doe 3, Doe 4 and Does 5 through 25 asserting causes of action for employment discrimination, harassment, deprivation of civil rights, breach of contract, breach of the implied covenant of good faith and fair dealing, intentional infliction of emotional distress, negligent supervision and defamation. On June 8, 2012, Defendants removed the action to this Court pursuant to 28 U.S.C. §§ 1331 and 1441(b).

On June 15, 2012, Defendants filed a motion to dismiss the complaint pursuant to Federal Rules of Civil Procedure 12(b)(6) and 12(e). Plaintiff did not file a written opposition to


1 Defendants' motion to dismiss. On October 12, 2012, the Court granted the motion to dismiss the
2 complaint in its entirety and directed Plaintiff to file an amended complaint within thirty days of
3 entry of the order. No amended complaint was filed by Plaintiff within the time allotted.

4 "If the plaintiff fails to . . . comply with . . . a court order, a defendant may move to dismiss
5 the action or any claim against it." Fed. R. Civ. P. 41(b); *see Ferdik v. Bonzelet*, 963 F.2d 1258,
6 1260-61 (9th Cir. 1992) (listing factors for court to consider in determining whether to dismiss a case
7 for failure to comply with a court order). Where a plaintiff has failed to comply with a court's
8 orders, the court may also dismiss an action pursuant to Rule 41(b) *sua sponte*. *Hells Canyon*
9 *Preservation Council v. United States Forest Service*, 403 F.3d 683, 689 (9th Cir. 2005).

10 Plaintiff is hereby ORDERED to show cause in writing by 4:00 p.m. on Friday, December
11 21, 2012, why no amended complaint has been filed and why this action should not be dismissed for
12 failure to comply with the Court's October 12, 2012 order. Failure to show cause or otherwise
13 respond to this order shall result in a dismissal of the action with prejudice as against all defendants.

14 IT IS SO ORDERED.

15 Dated: November 20, 2012

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18 UNITED STATES DISTRICT JUDGE
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