

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  
28

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

ISABEL TUBACH,  
Plaintiff,  
v.  
DR. CHAUDRY, et al.,  
Defendants.

**Case No. 1:12-cv-01389-SMS (PC)**  
**ORDER TO SHOW CAUSE WHY THIS ACTION SHOULD NOT BE DISMISSED FOR PLAINTIFF'S FAILURE TO OBEY A COURT ORDER**  
**Doc. 10**  
**RESPONSE DUE WITHIN FIFTEEN (15) DAYS**

Plaintiff Isabel Tubach ("Plaintiff") is a prisoner in the custody of the California Department of Corrections and Rehabilitation ("CDCR"). Plaintiff is proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint in this action on August 23, 2012. Doc. 1.

In the Complaint, Plaintiff alleged that she was sexually abused and harassed in violation of the Eighth Amendment. The complaint failed to state specific factual details and the dates of the occurrences of which Plaintiff complains. The majority of the allegations are legal conclusions rather than detailed factual allegations.

On October 23, 2013, the Court ordered Plaintiff to submit within thirty (30) days a more definite statement of facts so that the Court could screen the Complaint in compliance with 28

1 U.S.C. § 1915A. Doc. 10. The order warned Plaintiff that failure to comply as directed might  
2 result in the dismissal of this action under Rule 41(b) of the Federal Rules of Civil Procedure  
3 without further notice. Although more than thirty days have passed, Plaintiff has neither provided  
4 a more definite statement of facts, requested an extension of time to comply, nor responded to the  
5 Court's order in any other way.  
6

7 The Court has discretion to impose any and all sanctions authorized by statute or Rule or  
8 within the inherent power of the Court, including dismissal of an action, based on Plaintiff's  
9 failure to comply with a court order. Fed. R. Civ. P. 11; Local Rule 110.

10 Accordingly, the Court HEREBY ORDERS that:

- 11 1. within **fifteen (15) days** from the date of service of this order, Plaintiff shall file a  
12 written response to the Court, showing cause why this case should not be dismissed  
13 for Plaintiff's failure to obey the Court's order of October 23, 2013; and  
14
- 15 2. Plaintiff's failure to comply with this order will result in the dismissal of this action  
16 without further notice.  
17

18  
19 IT IS SO ORDERED.

20 Dated: December 4, 2013

21 /s/ Sandra M. Snyder  
22 UNITED STATES MAGISTRATE JUDGE  
23  
24  
25  
26  
27  
28