



1           On October 23, 2013, to enable the Court to screen the complaint in compliance with 28  
2 U.S.C. § 1915A, this Court issued an order requiring Plaintiff to submit within thirty (30) days a  
3 more definite statement of facts. Doc. 10. The order warned Plaintiff that failure to comply  
4 might result in the action's being dismissed without further notice pursuant to Rule 41(b) of the  
5 Federal Rules of Civil Procedure.

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7           On December 5, 2013, after more than thirty days passed without any action by Plaintiff,  
8 the Court ordered her to show cause within fifteen days why this action should not be dismissed,  
9 warning her that this action would be dismissed if she failed to respond. Doc. 11. Although the  
10 fifteen-day deadline has expired, Plaintiff has not complied with or otherwise responded to either  
11 of the Court's orders.

12           The First Informational Order also warned Plaintiff that failure to comply with a court  
13 order is grounds for sanctions including dismissal of this action. Local Rule 110; Fed. R. Civ. P.  
14 41(b). Doc. 5.

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16           The Court has the inherent power to control its docket and may, in the exercise of that  
17 power, impose sanctions where appropriate, including dismissal of the action. *Bautista v. Los*  
18 *Angeles County*, 216 F.3d 837, 841 (9th Cir. 2000). In determining whether to dismiss an action,  
19 the Court must weigh "(1) the public's interest in expeditious resolution of litigation; (2) the  
20 court's need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy  
21 favoring disposition of cases on their merits; and (5) the availability of less drastic sanctions." *In*  
22 *re Phenylpropanolamine (PPA) Products Liability Litigation*, 460 F.3d 1217, 1226 (9th Cir.  
23 2006), quoting *Malone v. U.S. Postal Serv.*, 833 F.2d 128, 130 (9th Cir. 1987). These factors  
24 guide a court in deciding how to proceed when a plaintiff fails to actively prosecute his or her  
25 case. *Id.*

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Based on Plaintiff's failure to comply with or otherwise respond to the above orders, the Court is left with no alternative but to dismiss the action for failure to prosecute. *Id.* This action cannot proceed without Plaintiff's cooperation and compliance with the orders at issue.

Accordingly, this action is hereby DISMISSED, without prejudice, for failure to prosecute.

IT IS SO ORDERED.

Dated: January 5, 2014

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE