

1 The Local Rules, corresponding with Fed. R. Civ. P. 11, provide: “Failure of counsel or of a
2 party to comply with . . . any order of the Court may be grounds for the imposition by the Court of any
3 and all sanctions . . . within the inherent power of the Court.” Local Rule 110. “District courts have
4 inherent power to control their dockets,” and in exercising that power, a court may impose sanctions
5 including dismissal of an action. *Thompson v. Housing Authority of Los Angeles*, 782 F.2d 829, 831
6 (9th Cir. 1986). A court may dismiss an action with prejudice, based on a party’s failure to prosecute
7 an action or failure to obey a court order, or failure to comply with local rules. *See, e.g. Ferdik v.*
8 *Bonzelet*, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (dismissal for failure to comply with the court’s
9 order requiring amendment of complaint); *Malone v. U.S. Postal Service*, 833 F.2d 128, 130 (9th Cir.
10 1987) (dismissal for failure to comply with a court order); *Henderson v. Duncan*, 779 F.2d 1421, 1424
11 (9th Cir. 1986) (dismissal for failure to prosecute and to comply with local rules).

12 Accordingly, Plaintiff is **ORDERED** to show cause why the action should not be dismissed for
13 his failure to prosecute and failure comply with the Court’s order. **In the alternative**, Plaintiff
14 **SHALL** serve a confidential letter brief to Defendant as described in the Court’s Scheduling Order on
15 or before **August 30, 2013**.

16 Defendant **SHALL** notify the Court no later than **September 5, 2013** whether it has received a
17 confidential letter brief from Plaintiff. If Plaintiff does not serve a letter brief, Defendant shall file a
18 declaration attesting to such facts, and the action will be dismissed for failure to prosecute and failure
19 to comply with the Court’s order pursuant to Local Rule 110.

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21 IT IS SO ORDERED.

22 Dated: **August 15, 2013**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE