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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

REDENTOR C. CASTRENCE,

1:12-cv-2075-MJS (PC)

Plaintiff,

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

v.

JOHN DOE, et al.,

(ECF No. 8)

Defendants.

FOURTEEN DAY DEADLINE

_____ /

Plaintiff Redentor C. Castrence (“Plaintiff”) is a former state prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has consented to Magistrate Judge jurisdiction. (ECF No. 7.)

On February 13, 2013, the Court ordered Plaintiff to either file a civil in forma pauperis application or pay the regular filing fee. (ECF No. 8.)¹ Plaintiff was to respond to this order by March 18, 2013. (Id.) March 18, 2013, has passed without Plaintiff having filed an application to proceed in forma pauperis, paid a filing fee, or requested an extension of time in which to respond to the order.

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

¹ When the Court originally ordered Plaintiff to either file a regular civil in forma pauperis application or pay the regular filing fee, the regular filing fee was \$350.00. Plaintiff should note that the regular filing fee has since been raised to \$400 and if he elects to use this option he will have to pay this amount.

1 power to control their dockets and “in the exercise of that power, they may impose
2 sanctions including, where appropriate . . . dismissal of a case.” Thompson v. Housing
3 Auth., 782 F.2d 829, 831 (9th Cir. 1986). A court may dismiss an action based on a party’s
4 failure to prosecute an action, failure to obey a court order, or failure to comply with local
5 rules. See, e.g., Ghazali v. Moran, 46 F.3d 52, 53-54 (9th Cir. 1995) (dismissal for
6 noncompliance with local rule); Ferdik v. Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992)
7 (dismissal for failure to comply with an order requiring amendment of complaint);
8 Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for lack of
9 prosecution and failure to comply with local rules).

10 Plaintiff has not responded to the Court’s February 13, 2013, order. He will be given
11 one more opportunity, from **fourteen (14) days** of entry of this order, **and no later**, to file
12 an application to proceed in forma pauperis, submit the full filing fee, or show cause as to
13 why his case should not be dismissed for failure to comply with a court order. **Failure to**
14 **meet this deadline will result in dismissal of this action.**

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19 IT IS SO ORDERED.

20 Dated: July 8, 2013

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE