

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ISABEL TUBACH,

Plaintiff,

v.

GUZMAN, et al.,

Defendants.

Case No. 1:13-cv-00020-SMS (PC)**ORDER TO SHOW CAUSE WHY THIS ACTION
SHOULD NOT BE DISMISSED FOR
PLAINTIFF'S FAILURE TO OBEY A COURT
ORDER****(ECF Nos. 9, 10)****RESPONSE DUE WITHIN TWELVE (12) 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 January 7, 2013. (ECF No. 1.) In the Complaint, Plaintiff appears to allege that she is being sexually abused and harassed in violation of the Eighth Amendment, though she does not identify any specific constitutional right that she feels was violated. In addition, Plaintiff failed to state the dates of the occurrences of which she complains and merely stated many conclusions rather than detailed factual allegations.

Thus, on July 8, 2013 and August 12, 2013, orders issued requiring Plaintiff to submit a more definite statement of facts, within thirty (30) days, to enable the Court to screen the

1 Complaint in compliance with 28 U.S.C. § 1915A. (ECF Nos. 9, 10.) That same order indicated
2 that Plaintiff's failure to comply as directed may result in the dismissal of this action under Rule
3 41(b) of the Federal Rules of Civil Procedure without further notice. (Id.) More than thirty days
4 have now passed and Plaintiff has neither provided the more definite statement of facts; nor has
5 she requested an extension of time to comply, or otherwise responded to the Court's orders.
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, it is HEREBY ORDERED that:

- 11 1. within **twelve (12) 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 orders of July 8, 2013 and August 12, 2013;
14 and
15
- 16 2. Plaintiff's failure to comply with this order will result in the dismissal of this action
17 without further notice.

18 IT IS SO ORDERED.

19 DATED: 9/13/2013

/s/ SANDRA M. SNYDER
UNITED STATES MAGISTRATE JUDGE