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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FRANK VALLES,
Plaintiff,
v.
MARK AGUILAR, et al.,
Defendants.

Case No. 1:13-cv-0555-MJS
ORDER TO SHOW CAUSE WHY CASE
SHOULD NOT BE DISMISSED FOR
FAILURE TO COMPLY WITH A COURT
ORDER AND FAILURE TO STATE A
CLAIM
ECF No. 6
AMENDED COMPLAINT DUE WITHIN
FOURTEEN DAYS

Plaintiff Frank Valles (“Plaintiff”), a pre-trial detainee, filed this civil rights action pursuant to 42 U.S.C. § 1983 on April 17, 2013. (ECF No. 1.) Plaintiff has consented to Magistrate Judge jurisdiction. (ECF No. 4.)

The Court screened Plaintiff’s Complaint on July 1, 2013. (ECF Nos. 1, 6) The Court found that Plaintiff’s Complaint failed to state a cognizable claim, but gave Plaintiff an opportunity to file an amended complaint on or before August 1, 2013. (Id.) August 1, 2013, has passed without Plaintiff having filed an amended complaint or a request for an extension of time to do so.

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

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

11 Plaintiff has not adequately responded to the Court’s July 1, 2013, order. He will
12 be given one more opportunity, from fourteen (14) days of entry of this order, and no
13 later, to file an amended complaint or show cause why his case should not be
14 dismissed for failure to comply with a court order and failure to state a claim. Failure to
15 meet this deadline will result in dismissal of this action.

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IT IS SO ORDERED.

Dated: September 9, 2013

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE