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8	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
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11	MIKEAL STINE,	CASE NO. 1:13-cv-01883-MJS
12	Plaintiff,	ORDER TO SHOW CAUSE WHY CASE
13	v. FEDERAL BUREAU OF PRISONS, Defendant.	SHOULD NOT BE DISMISSED FOR FAILURE TO COMPLY WITH COURT ORDER
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15		(ECF NO. 7)
16		FOURTEEN (14) DAY DEADLINE
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18	Plaintiff Mikeal Stine, a federal prisoner proceeding pro se and in forma pauperis,	
19	filed this civil action on November 12, 2013, pursuant to Bivens v. Six Unknown Named	
20	Agents of the Federal Bureau of Narcotics, 403 U.S. 388 (1971), which provides a	
21	remedy for the violation of civil rights by federal actors. (ECF No. 1.) Plaintiff has	
22	consented to Magistrate Judge jurisdiction. (ECF No. 4.)	
23	On December 30, 2013, Plaintiff's First Amended Complaint was screened and	
24	dismissed for failure to state a cognizable claim. (ECF No. 7.) The Court granted	
25	Plaintiff thirty days leave to amend. (Id.) The resulting deadline has passed without	
26	Plaintiff filing an amended complaint or requesting an extension of time to do so.	
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1 Local Rule 110 provides that "failure of counsel or of a party to comply with these 2 Rules or with any order of the Court may be grounds for imposition by the Court of any 3 and all sanctions . . . within the inherent power of the Court." District courts have the inherent power to control their dockets and "in the exercise of that power, they may 4 impose sanctions including, where appropriate . . . dismissal [of a case]." Thompson v. 5 6 Housing Auth., 782 F.2d 829, 831 (9th Cir. 1986). A court may dismiss an action based 7 on a party's failure to prosecute an action, failure to obey a court order, or failure to 8 comply with local rules. See, e.g., Ghazali v. Moran, 46 F.3d 52, 53-54 (9th Cir. 1995) 9 (dismissal for noncompliance with local rule); Ferdik v. Bonzelet, 963 F.2d 1258, 1260-10 61 (9th Cir. 1992) (dismissal for failure to comply with an order requiring amendment of 11 complaint); Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for 12 lack of prosecution and failure to comply with local rules). 13 Plaintiff has not responded to the Court's Order requiring that he file an amended 14 complaint by not later than February 3, 2014. 15 Accordingly, it is HEREBY ORDERED THAT: 16 1. Within fourteen (14) days of service of this order, Plaintiff shall either show 17 cause as to why his case should not be dismissed with prejudice for failure to comply

If Plaintiff fails to show cause or file an amended complaint, this action will
be dismissed, with prejudice, for failure to state a claim and failure to prosecute, subject
to the "three strikes" provision set forth in 28 U.S.C. § 1915(g). <u>Silva v. Di Vittorio</u>, 658
F.3d 1090 (9th Cir. 2011).

with the Court's December 30, 2013 Order, or file an amended complaint; and

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IT IS SO ORDERED.

Dated: February 11, 2014

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Ist Michael V. Seng

UNITED STATES MÁGISTRATE JUDGE

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