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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

MARK LEON PEREZ,  
  
                                Petitioner,  
  
                        v.  
  
GARY SWARTHOUT, WARDEN,  
  
                                Respondent.

Case No. 1:14-CV-00293-SMS (HC)  
  
ORDER TO SHOW CAUSE WHY THIS ACTION  
SHOULD NOT BE DISMISSED FOR  
FAILURE TO OBEY A COURT ORDER  
  
(Doc. 6)  
  
RESPONSE DUE WITHIN FIFTEEN (15) DAYS

Petitioner Mark Leon Perez is a federal prisoner proceeding *pro se* and *in forma pauperis* with a petition for writ of habeas corpus pursuant to 28 U.S.C. §2254. Petitioner has consented to the jurisdiction of the United States Magistrate Judge to conduct all further proceedings in the case, including the entry of final judgment, by manifesting his consent in a writing signed and filed by Petitioner on March 14, 2014 (Doc. 5). *See* 28 U.S.C. §636(c)(1); Local Rule 305(b). Pending before the Court is the petition, filed on March 3, 2014 (Doc. 1).

On June 16, 2014, the Court rendered its order (Doc. 6) dismissing the complaint for failure to exhaust available state court remedies, failure to name a proper respondent, and ordering Petitioner to submit an amended complaint within thirty (30) days. The order warned Petitioner that failure to comply as directed might result in the dismissal of this action for failure

1 to state a claim. Although more than thirty days have passed, Petitioner has neither filed an  
2 amended complaint nor responded to the Court's order in any other way.

3 The Court has discretion to impose any and all sanctions authorized by statute or Rule or  
4 within the inherent power of the Court, including dismissal of an action, based on Petitioner's  
5 failure to comply with a court order. FED. R. CIV. P. 11; Local Rule 110. Accordingly,  
6

7 **IT IS HEREBY ORDERED** that within **fifteen (15) days** from the date of service of this  
8 order, Petitioner **SHALL** file a written response to the Court, showing cause why this case should  
9 not be dismissed for Petitioner's failure to obey the Court's June 16, 2014 order (Doc. 6).

10 **IT IS FURTHER ORDERED** that the Clerk of Court **SHALL** mail a copy of this order  
11 to Petitioner's address, along with a copy of the Court's June 16, 2014 order (Doc. 6).

12 **IT IS FINALLY ORDERED** that Petitioner's failure to comply with this order will result  
13 in the dismissal of this action without further notice.  
14

15  
16 IT IS SO ORDERED.

17 Dated: September 2, 2014

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE