



1 of the Magistrate Judge. (Doc. 9). Petitioner has not communicated with the Court in over three  
2 months.

3 **DISCUSSION**

4 The Court has the inherent authority to dismiss a habeas corpus petition if the petitioner fails to  
5 pursue his claims in a timely manner. In determining whether to dismiss an action for lack of  
6 prosecution, the court must consider several factors: (1) the public's interest in expeditious resolution  
7 of litigation; (2) the court's need to manage its docket; (3) the risk of prejudice to the Respondents; (4)  
8 the public policy favoring disposition of cases on their merits; and, (5) the availability of less drastic  
9 alternatives. Henderson v. Duncan, 779 F.2d 1421, 1423 (9th Cir. 1986); Carey v. King, 856 F.2d  
10 1439 (9<sup>th</sup> Cir. 1988).

11 However, before proceeding to an analysis of whether the petition should be dismissed, the  
12 Court will permit Petitioner to respond to this Order to Show Cause and show good cause why the  
13 petition should not be dismissed for lack of prosecution. Petitioner's failure to respond to this Order to  
14 Show Cause, or, in lieu of a response, to submit a first amended petition within the time set forth in  
15 this Order for a response, shall result in the dismissal of the original petition for failure to prosecute.

16 **ORDER**

17 For the foregoing reasons, the Court HEREBY ORDERS as follows:

- 18 1. Petitioner is ORDERED TO SHOW CAUSE **within 30 days** of the date of service of  
19 this Order why the Petition should not be dismissed for failure to prosecute.

20 **Petitioner is forewarned that his failure to comply with this order may result in an Order**  
21 **dismissing the Petition pursuant to Local Rule 110.**

22  
23 IT IS SO ORDERED.

24 Dated: January 8, 2015

/s/ Jennifer L. Thurston  
25 UNITED STATES MAGISTRATE JUDGE