1 2 3 4 5 6 UNITED STATES DISTRICT COURT 7 EASTERN DISTRICT OF CALIFORNIA 8 9 Case No. 1:14-cv-01679-SMS HC EARL SIMPSON, 10 Petitioner, ORDER TO SHOW CAUSE WHY THIS ACTION 11 SHOULD NOT BE DISMISSED FOR FAILURE TO OBEY A COURT ORDER v. 12 AUDREY KING, Executive Director Doc. 6 13 of Coalinga State Hospital, and CLIFFORD ALLENBY, Chief 14 Director of California Mental Health **RESPONSE DUE WITHIN FIFTEEN (15) DAYS** Services, 15 Respondents. 16 17 Petitioner Earl Simpson is a former state prisoner who has been civilly committed to 18 Coalinga State Hospital pursuant to California Penal Code § 2972. On October 21, 2014, 19 Petitioner filed a document entitled "Petition for Writ of Mandamus and Prohibition and 20 21 Requesting to Vacate an Order of Judgment." After reviewing the petition, on December 31, 22 2014, the Court dismissed it, with leave to amend, for failure to state a cognizable claim. 23 The Court ordered Petitioner to submit an amended complaint within thirty (30) days. 24 Doc. 6. The order warned Petitioner that failure to comply as directed might result in the 25 dismissal of this action for failure to state a claim. Although more than thirty days have passed, 26 Petitioner has neither filed an amended complaint nor responded to the Court's order in any other 27 28 way.

The Court has discretion to impose any and all sanctions authorized by statute or Rule or within the inherent power of the Court, including dismissal of an action, based on Petitioner's failure to comply with a court order. Fed. R. Civ. P. 11; Local Rule 110. Accordingly, the Court HEREBY ORDERS that: 1. within **fifteen (15) days** from the date of service of this order, Petitioner shall file a written response to the Court, showing cause why this case should not be dismissed for Petitioner's failure to obey the Court's order filed December 31, 2014; 2. the Clerk of Court shall mail a copy of this order to Petitioner's address, along with a copy of the Court's December 31, 2014 order (Doc. 6); and 3. Petitioner's failure to comply with this order will result in the dismissal of this action without further notice. IT IS SO ORDERED. Dated: **February 11, 2015** /s/ Sandra M. Snyder UNITED STATES MAGISTRATE JUDGE