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

PABLO HURTADO, ) Case No.: 1:14-cv-01706 - --- - JLT  
 )  
Plaintiff, ) ORDER TO PLAINTIFF TO SHOW CAUSE  
 ) WHY THE ACTION SHOULD NOT BE  
v. ) DISMISSED FOR FAILURE TO PROSECUTE  
 ) AND FAILURE TO COMPLY WITH THE  
WALMART STORES, INC./STORE #5134, ) COURT’S ORDER  
 )  
Defendant. )

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Plaintiff Pablo Hurtado initiated this action by filing complaint against his employer, Walmart Stores, because he claims that they denied him promotions and required him to collect shopping carts based upon his gender. (Doc. 5 at 2). On December 23, 2014, the Court determined Plaintiff failed to allege facts sufficient to support the claims for relief, and dismissed the complaint with leave to amend. (Doc. 6.) Plaintiff was ordered to file a second amended complaint within thirty days of the date of service, or no later than January 26, 2015. (*Id.* at 4). To date, Plaintiff has failed to comply with or otherwise respond to the Court’s order.

The Local Rules, corresponding with Fed. R. Civ. P. 11, provide: “Failure of counsel or of a party to comply with . . . any order of the Court may be grounds for the imposition by the Court of any and all sanctions . . . within the inherent power of the Court.” Local Rule 110. “District courts have inherent power to control their dockets,” and in exercising that power, a court may impose sanctions including dismissal of an action. *Thompson v. Housing Authority of Los Angeles*, 782 F.2d 829, 831

1 (9th Cir. 1986). A court may dismiss an action with prejudice, based on a party's failure to prosecute  
2 an action or failure to obey a court order, or failure to comply with local rules. *See, e.g. Ferdik v.*  
3 *Bonzelet*, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (dismissal for failure to comply with an order  
4 requiring amendment of complaint); *Malone v. U.S. Postal Service*, 833 F.2d 128, 130 (9th Cir. 1987)  
5 (dismissal for failure to comply with a court order); *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th  
6 Cir. 1986) (dismissal for failure to prosecute and to comply with local rules).

7 Accordingly, Plaintiff is **ORDERED** to show cause in writing within 14 days of the date of  
8 service of this Order why the action should not be dismissed for his failure to prosecute and failure  
9 comply with the Court's order or, in the alternative, to file an amended complaint.

10  
11 IT IS SO ORDERED.

12 Dated: January 29, 2015

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