

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

ARCHIE WEIR,) Case No.: 1:14-cv-01739 - --- - JLT
Plaintiff,)
v.) ORDER TO PLAINTIFF TO SHOW CAUSE WHY
MATTHEW ROY, et al.,) THE ACTION SHOULD NOT BE DISMISSED
Defendants.) FOR FAILURE TO PROSECUTE AND COMPLY
) WITH THE COURT'S ORDER
)
)

Plaintiff Archie Weir is proceeding *pro se* with this action pursuant to 42 U.S.C. § 1983 against officers of the Bakersfield Police Department, Trans West Security and three of its employees, and Kern Medical Center. (Doc. 1.) Because Plaintiff failed to allege facts sufficient to support his claims, the Court dismissed the complaint with leave to amend on February 27, 2015. (Doc. 8.) Plaintiff was granted thirty days from the date of service, or until April 1, 2015, to file an amended complaint. To date, Plaintiff has failed to file his First Amended Complaint 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 (9th Cir. 1986). A court may dismiss an action with prejudice, based on a party’s failure to prosecute

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

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

9
10 IT IS SO ORDERED.

11 Dated: April 7, 2015

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

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28