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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

BRINT CLARK,
Plaintiff,
v.
BRAZELTON, et al.,
Defendants.

Case No. 1:15-cv-00350-JLT (PC)

**ORDER TO SHOW CAUSE WHY THE
ACTION SHOULD NOT BE DISMISSED FOR
PLAINTIFF'S FAILURE TO COMPLY WITH
THE COURT'S ORDER**

(Doc. 14)

30-DAY DEADLINE

Plaintiff, Brint Clark, is proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint in this action on March 5, 2015. (Doc. 1.) On April 16, 2015, an order issued which both screened and dismissed the Complaint and granted Plaintiff leave to file a first amended complaint. (Doc. 6.) Despite requesting and receiving three extensions of time to do so, Plaintiff's first amended complaint is now almost two weeks overdue. (*See* Docs. 8, 10, 11, 12, 13, 14.)

The Local Rules, corresponding with Fed. R. Civ. P. 11, provide, “[f]ailure 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,

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

7 Accordingly, within 30 days Plaintiff is ORDERED to show cause in writing why the
8 action should not be dismissed for his failure comply with the Court's order of July 9, 2015 by
9 filing a first amended complaint; alternatively, within that same deadline, Plaintiff may show
10 cause by filing a first amended complaint. **Plaintiff is warned that failure to respond may**
11 **result in termination of this action.**

12 IT IS SO ORDERED.

13 Dated: August 26, 2015

14 /s/ Jennifer L. Thurston
15 UNITED STATES MAGISTRATE JUDGE