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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

GEORGE N. ALLEN,

Plaintiff,

v.

AHLIN, et al.,

Defendants.

**Case No. 1:15-cv-00989-JLT (PC)**

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

**(Doc. 8)**

**21-DAY DEADLINE**

On April 6, 2016, the Court dismissed the first amended complaint for failure to state a cognizable claim and gave Plaintiff leave file a second amended complaint within thirty days. (Doc. 8) More than two months have passed and Plaintiff has not responded in any fashion.

The Local Rules which correspond 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, based on a party’s failure to prosecute an action or failure to obey a court order, or failure to comply with local rules. *See, e.g. Ferdik v. Bonzelet*, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (dismissal for failure to comply with an order requiring amendment of complaint); *Malone v. U.S.*

1 *Postal Service*, 833 F.2d 128, 130 (9th Cir. 1987) (dismissal for failure to comply with a court  
2 order); *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for failure to  
3 prosecute and to comply with local rules). Plaintiff's failure to comply with the Court's April 6,  
4 2016 order is grounds for dismissal of this action with prejudice.

5 Accordingly, within 21 days Plaintiff SHALL show cause in writing why the action  
6 should not be dismissed with prejudice for his failure to comply with the Court's order and to  
7 prosecute this action, or file a second amended complaint.

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9 IT IS SO ORDERED.

10 Dated: June 15, 2016

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE

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