

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ALICIA HERNANDEZ,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:15-cv-01684-SAB

ORDER REQUIRING PLAINTIFF TO
SHOW CAUSE WHY THIS ACTION
SHOULD NOT BE DISMISSED FOR
FAILURE TO PROSECUTE

FIVE DAY DEADLINE

Plaintiff Alicia Hernandez filed this action on November 5, 2015. On August 15, 2016, an order issued addressing the parties stipulation for an extension of time for Plaintiff to file an opening brief. Plaintiff’s opening brief was to be filed on or before September 21, 2016. (ECF No. 15.) Plaintiff did not file an opening brief by September 21, 2016.

Local Rule 110 provides that “[f]ailure of counsel or of a party to comply with these Rules or with any order of the Court may be grounds for imposition by the Court of any and all sanctions . . . within the inherent power of the Court.” The Court has the inherent power to control its docket and may, in the exercise of that power, impose sanctions where appropriate, including dismissal of the action. Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir. 2000).

///

///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Accordingly, IT IS HEREBY ORDERED that Plaintiff shall file a written response to this order to show cause why this action should not be dismissed for failure to prosecute within five (5) days of the date of service of this order. Failure to comply with this order to show cause shall result in this action being dismissed for failure to prosecute.

IT IS SO ORDERED.

Dated: September 23, 2016



UNITED STATES MAGISTRATE JUDGE