

1 The Court has the inherent power to control its docket and may, in the exercise of that power,
2 impose sanctions where appropriate, including dismissal of the action. Bautista v. Los Angeles Cnty.,
3 216 F.3d 837, 841 (9th Cir. 2000). In determining whether to dismiss an action, the Court must weigh
4 “(1) the public’s interest in expeditious resolution of litigation; (2) the court’s need to manage its
5 docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of cases
6 on their merits; and (5) the availability of less drastic sanctions.” In re Phenylpropanolamine (PPA)
7 Prod. Liab. Litig., 460 F.3d 1217, 1226 (9th Cir. 2006) (internal quotations and citations omitted).
8 These factors guide a court in deciding what to do, and are not conditions that must be met in order for
9 a court to take action. Id. (citation omitted).

10 Based on Plaintiff’s failure to comply with or otherwise respond to the Court’s order, the Court
11 is left with no alternative but to dismiss the action for failure to state a cognizable claim for relief. Id.
12 This action can proceed no further without Plaintiff’s cooperation and compliance with the order at
13 issue, and the action cannot simply remain idle on the Court’s docket, unprosecuted. Id. Accordingly,
14 pursuant to 28 U.S.C. § 1915A and 28 U.S.C. § 1915(e), this action is HEREBY DISMISSED, with
15 prejudice, based on Plaintiff’s failure to state a claim upon which relief may be granted under section
16 1983. This dismissal is subject to the “three-strikes” provision set forth in 28 U.S.C. § 1915(g).
17 Coleman v. Tollefson, __ U.S. __, __, 135 S.Ct. 1759, 1765 (2015).

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19 IT IS SO ORDERED.

20 Dated: April 21, 2016


UNITED STATES MAGISTRATE JUDGE