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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JENNIFER ANN PAYNE,
Petitioner,

v.
GEORGE RUNNER,
Respondent.

1:16-cv-00072 MJS HC

**ORDER TO SHOW CAUSE WHY CASE
SHOULD NOT BE DISMISSED FOR
FAILURE TO COMPLY WITH COURT
ORDER**

Petitioner is proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On January 25, 2016, the Court dismissed the petition for failure to state a cognizable claim and required Petitioner to file an amended petition within thirty (30) days of the order. (ECF No. 4.)

Over thirty days have passed without Plaintiff having filed an amended complaint or a request for an extension.

Local Rule 110 provides that “failure 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.” District courts have the

1 inherent power to control their dockets and “in the exercise of that power, they may
2 impose sanctions including, where appropriate . . . dismissal of a case.” Thompson v.
3 Housing Auth., 782 F.2d 829, 831 (9th Cir. 1986). A court may dismiss an action based
4 on a party’s failure to prosecute an action, failure to obey a court order, or failure to
5 comply with local rules. See, e.g., Ghazali v. Moran, 46 F.3d 52, 53-54 (9th Cir. 1995)
6 (dismissal for noncompliance with local rule); Ferdik v. Bonzelet, 963 F.2d 1258, 1260-
7 61 (9th Cir. 1992) (dismissal for failure to comply with an order requiring amendment of
8 complaint); Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for
9 lack of prosecution and failure to comply with local rules).

10 Plaintiff has not responded to the Court’s January 25, 2016 Order. The deadline
11 for filing an amended petition in the Order has passed. (ECF No. 4.) Nevertheless,
12 Plaintiff shall be given one final opportunity to file, within thirty (30) days of the date of
13 service of this order, an amended petition or show cause by that date why her case
14 should not be dismissed for failure to comply with a court order. Failure to respond by
15 this deadline will result in dismissal of this action.

16
17 IT IS SO ORDERED.

18 Dated: March 11, 2016

19 /s/ Michael J. Seng
20 UNITED STATES MAGISTRATE JUDGE