UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

WAYNE BOLTON, Plaintiff, v. HOLLAND, et al., Defendants.	**Case No. 1:16-cv-00298-SKO (PC)** **ORDER TO SHOW CAUSE WHY THE ACTION SHOULD NOT BE DISMISSED FOR PLAINTIFF'S FAILURE TO COMPLY WITH THE COURT'S ORDER** **(Docs. 1, 18, 20)** **THIRTY (30) DAY DEADLINE**

Plaintiff, Wayne Bolton, a state prisoner proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983. On February 22, 2017, the Court issued an order finding that Plaintiff failed to state any cognizable claims, dismissing the Complaint, and granting leave for Plaintiff to file a first amended complaint within thirty (30) days. (Doc. 18.) On March 29, 2017, an order issued granting Plaintiff's motion for a thirty (30) day extension of time to file a first amended complaint. (Docs. 19, 20.) More than thirty (30) days have passed and Plaintiff has failed to file an amended complaint or otherwise respond to the Court's screening order.

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, 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. Postal Service*, 833 F.2d 128, 130 (9th Cir. 1987) (dismissal for failure to comply with a court order); *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for failure to prosecute and to comply with local rules).

Accordingly, Plaintiff is **ORDERED** to show cause **within thirty (30) days** of the date of service of this order why the action should not be dismissed for his failure to state a claim and to comply with the Court's order; alternatively, within that same time, Plaintiff may file a first amended complaint or a notice of voluntary dismissal.

IT IS SO ORDERED.

Dated: **May 8, 2017**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE