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8	UNITED STAT	TES DISTRICT COURT
9	EASTERN DISTRICT OF CALIFORNIA	
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11	MARIA NORMA RUIZ PACHECO,) Case No.: 1:16-cv-00813 - JLT
12	Plaintiff,) ORDER TO SHOW CAUSE WHY THE ACTION
13	v.) SHOULD NOT BE DISMISSED FOR) PLAINTIFF'S FAILURE TO PROSECUTE AND) FAILURE TO COMPLY WITH THE COURT'S) ORDER
14	NANCY A. BERRYHILL ¹ , Acting Commissioner of Social Security,	
15	Defendant.)
16		_)
17	Maria Norma Ruiz Pacheco initiated this action by filing a complaint on June 10, 2016, seeking	
18	judicial review of the decision to denying her application for Social Security benefits. (Doc. 1) On	
19	June 20, 2016, the Court entered its Scheduling Order, setting forth the applicable deadlines. (Doc. 4)	
20	Pursuant to the Scheduling Order, the parties exchanged confidential letter briefs, with Defendant	
21	serving the Commissioner's response on April 5, 2017. (Docs. 14, 15)	
22	In the Court's Scheduling Order, Plaintiff was ordered to file an opening brief addressing	
23	"each claimed error" by the administrative law judge within thirty days of the date of service of the	
24	Commissioner's response. (<i>See</i> Doc. 4 at 2, explaining the applicable briefing deadlines.)	
25	Accordingly, Plaintiff was to file an opening brief in this action no later than May 5, 2017. (See id.)	
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27	¹ Nancy A. Berryhill is now the Acting Commi	issioner of Social Security. Pursuant to Rule 25(d) of the Federal
28		A. Berryhill for her predecessor, Carolyn W. Colvin, as the

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1 However, Plaintiff failed to file an opening brief, and has not requested an extension of time.

2	The Local Rules, corresponding with Fed. R. Civ. P. 11, provide: "Failure of counsel or of a	
3	party to comply with any order of the Court may be grounds for the imposition by the Court of any	
4	and all sanctions within the inherent power of the Court." Local Rule 110. "District courts have	
5	inherent power to control their dockets," and in exercising that power, a court may impose sanctions	
6	including dismissal of an action. Thompson v. Housing Authority of Los Angeles, 782 F.2d 829, 831	
7	(9th Cir. 1986). A court may dismiss an action with prejudice, based on a party's failure to prosecute	
8	an action or failure to obey a court order, or failure to comply with local rules. See, e.g. Ferdik v.	
9	Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (dismissal for failure to comply with an order);	
10	Malone v. U.S. Postal Service, 833 F.2d 128, 130 (9th Cir. 1987) (dismissal for failure to comply with	
11	a court order); Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for failure to	
12	prosecute and to comply with local rules).	
13	Accordingly, Plaintiff is ORDERED to show cause within ten days of the date of service of	
14	this Order why the action should not be dismissed for her failure to prosecute or to follow the Court's	
15	Order, or in the alternative to file an opening brief. <u>If Plaintiff fails to comply with the deadline as</u>	
16	ordered, the Court will find that Plaintiff has abandoned the action, and dismiss the matter. ²	
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18	IT IS SO ORDERED.	
19	Dated: May 10, 2017 /s/ Jennifer L. Thurston	
20	UNITED STATES MAGISTRATE JUDGE	
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24	² The court may take notice of facts that are capable of accurate and ready determination by resort to sources whose	
25	accuracy cannot reasonably be questioned. Fed. R. Evid. 201(b); <i>United States v. Bernal-Obeso</i> , 989 F.2d 331, 333 (9th Cir 1993). The record of a court proceeding is a source whose accuracy cannot reasonably be questioned, and the Court may	
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	1993). The record of a court proceeding is a source whose accuracy cannot reasonably be questioned, and the Court may take judicial notice of its records. <i>Mullis v. United States Bank. Ct.</i> , 828 F.2d 1385, 1388 n.9 (9th Cir. 1987); <i>Valerio v. Boise Cascade Corp.</i> , 80 F.R.D. 626, 635 n. 1 (N.D.Cal.1978), aff'd, 645 F.2d 699 (9th Cir.); <i>see also Colonial Penn Ins.</i>	
27	1993). The record of a court proceeding is a source whose accuracy cannot reasonably be questioned, and the Court may take judicial notice of its records. <i>Mullis v. United States Bank. Ct.</i> , 828 F.2d 1385, 1388 n.9 (9th Cir. 1987); <i>Valerio v.</i>	