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**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

RUBEN CONTRERAS,  
Plaintiff,  
v.  
SCOTT KERNAN, et al.,  
Defendants.

Case No. 1:16-cv-01111-SKO (PC)  
**ORDER TO SHOW CAUSE WHY THE  
ACTION SHOULD NOT BE DISMISSED  
FOR PLAINTIFF'S FAILURE TO  
COMPLY WITH THE COURT'S ORDER  
AND FOR FAILURE TO STATE A CLAIM**  
**(Docs. 8, 10, 12)**  
**TWENTY-ONE (21) DAY DEADLINE**

Plaintiff, Ruben Contreras, is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. On July 11, 2017, the Court issued an order finding that Plaintiff failed to state any cognizable claims, dismissing the First Amended Complaint, and granting Plaintiff leave to file a second amended complaint. (Doc. 10.) Plaintiff also requested and received an extension of time to file a Second Amended Complaint. (Docs. 11, 12.) Plaintiff has failed to file a second amended complaint or otherwise respond to the Court's screening order within the time provided in the 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,

1 based on a party's failure to prosecute an action or failure to obey a court order, or failure to  
2 comply with local rules. *See, e.g. Ferdik v. Bonzelet*, 963 F.2d 1258, 1260-61 (9th Cir. 1992)  
3 (dismissal for failure to comply with an order requiring amendment of complaint); *Malone v. U.S.*  
4 *Postal Service*, 833 F.2d 128, 130 (9th Cir. 1987) (dismissal for failure to comply with a court  
5 order); *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for failure to  
6 prosecute and to comply with local rules).

7 Accordingly, Plaintiff is **ORDERED** to show cause within twenty-one (21) days of the  
8 date of service of this order why the action should not be dismissed for his failure to state a claim  
9 and to comply with the Court's order. Alternatively, within the same 21-day time period,  
10 Plaintiff may file a first amended complaint or a notice of voluntary dismissal.

11 IT IS SO ORDERED.

12 Dated: August 21, 2017

13 /s/ Sheila K. Olerto  
14 UNITED STATES MAGISTRATE JUDGE