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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SAMANTHA ANDERSON,

Plaintiff,

v.

FRESNO COUNTY JAIL,

Defendant.

) Case No.: 1:16-cv-01200-BAM (PC)
)
) ORDER TO FILE CONSENT OR DECLINE
) FORM OR SHOW CAUSE WHY THIS
) ACTION SHOULD NOT BE DISMISSED
) FOR FAILURE TO PROSECUTE AND
) FAILURE TO OBEY A COURT ORDER
)
) (ECF Nos. 3, 4)
)
) ORDER TO CLERK’S OFFICE TO SEND
) PLAINTIFF A SECOND ORDER RE
) CONSENT OR DECLINE TO
) MAGISTRATE JURISDICTION AND
) BLANK IFP APPLICATION FOR A
) PRISONER
)
) **FOURTEEN (14) DAY DEADLINE**

Plaintiff Samantha Anderson (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff initiated this case on August 15, 2016. (ECF No. 1.)

On August 17, 2016, the Court ordered Plaintiff to either consent to or decline Magistrate Judge jurisdiction within thirty (30) days. (ECF No. 3.) Thereafter, on August 18, 2016, the Court ordered Plaintiff to submit a completed application to proceed in forma pauperis, or pay the filing fee within thirty (30) days. (ECF No. 4.) These deadlines have expired, and Plaintiff has not complied with either of these orders, nor otherwise responded to the Court’s orders.

1 Local Rule 110 provides that “[f]ailure of counsel or of a party to comply with these
2 Local Rules or with any order of the Court may be grounds for imposition by the Court of any
3 and all sanctions . . . within the inherent power of the Court.” Further, the failure of Plaintiff to
4 prosecute this action is grounds for dismissal. In re Phenylpropanolamine (PPA) Products
5 Liability Litigation, 460 F.3d 1217, 1226 (9th Cir. 2006).

6 Accordingly, it is HEREBY ORDERED as follows:

7 1. The Clerk of the Court is directed to serve this order, a blank IFP application for a
8 prisoner, and a second order re consent or request for reassignment, on Plaintiff;

9 2. Within **fourteen (14) days** from the date of service of this order, Plaintiff shall
10 EITHER:

11 (a) Complete and return the order re consent or request for reassignment, and
12 submit the attached application to proceed in forma pauperis, completed and signed, or in the
13 alternative, pay the \$400.00 filing fee for this action; OR

14 (b) Show cause in writing why this action should not be dismissed for failure
15 to prosecute and failure to obey the court’s orders.

16 3. **Plaintiff is warned that the failure to respond to this order will result in**
17 **dismissal of this action for failure to prosecute and failure to obey a court order.**

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19 IT IS SO ORDERED.

20 Dated: October 12, 2016

21 /s/ Barbara A. McAuliffe
22 UNITED STATES MAGISTRATE JUDGE
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