1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 ARMANDO OSEGUEDA, et al., Case No. 1:16-cv-01218-LJO-BAM 12 Plaintiffs. ORDER REOUIRING COUNSEL FOR PLAINTIFF TO PERSONALLY APPEAR 13 v. ON FEBRUARY 12, 2020 TO SHOW CAUSE WHY SANCTIONS SHOULD NOT BE STANISLAUS COUNTY PUBLIC 14 IMPOSED FOR FAILURE TO PROSECUTE SAFETY CENTER, et al., AND FAILURE TO COMPLY WITH COURT 15 ORDERS Defendants. 16 17 Plaintiffs Armando Osegueda and Robert Palomino ("Plaintiffs") filed this action on August 16, 2016. (Doc. No. 1.) On January 29, 2019, the Court approved the parties' stipulation 18 19 to stay this matter pending resolution of the state criminal proceedings against Plaintiffs. (Doc. 20 No. 50.) The Court further directed Plaintiffs to file a written status report every ninety (90) days 21 notifying the Court of the status of the criminal matter. (*Id.*) 22 On December 27, 2019, after no status reports had been filed, the Court issued an order to show cause why sanctions should not be imposed for failure to comply with an order of the Court. 23 24 (Doc. No. 53.) Plaintiffs were required to file either a written response or the required status report by January 10, 2020. (Id.) To date, Plaintiffs have not filed a written response or status 25 26 report as required by the Court's December 27, 2019 order. 27 Local Rule 110 provides that "[f]ailure of counsel or of a party to comply with these Rules 28 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." The Court has the inherent power to control its docket and may impose sanctions where appropriate, including dismissal of the action. Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir. 2000). Accordingly, Plaintiffs' counsel Amber Hope Gordon is HEREBY ORDERED to personally appear before United States Magistrate Judge Barbara A. McAuliffe at the United States Courthouse, 2500 Tulare St., Fresno, California, Courtroom 8, on Wednesday, February 12, 2020, at 9:00 AM to show cause why this action should not be dismissed for failure to prosecute and failure to comply with the Court's orders dated January 29, 2019, and December 27, 2019. Counsel, however, may comply with this order by filing the status report by February 10, 2020. Failure to file the status report by February 10, 2020 or to personally appear before the Court on February 12, 2020, will result in the recommendation that this action be dismissed for failure to prosecute and/or failure to comply with the Court's orders. IT IS SO ORDERED. /s/Barbara A. McAuliffe Dated: **January 28, 2020** UNITED STATES MAGISTRATE JUDGE