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8	LINITED STA	TES DISTRICT COURT
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10	EASTERN DISTRICT OF CALIFORNIA	
11	DOROTHY WHIPPLE,	) Case No.: 1:16-cv-01254 - JLT
12	Plaintiff,	) ) ORDER TO SHOW CAUSE WHY THE ACTION
13	v.	<ul> <li>SHOULD NOT BE DISMISSED FOR</li> <li>PLAINTIFF'S FAILURE TO PROSECUTE AND</li> </ul>
14	NANCY A. BERRYHILL <sup>1</sup> , Acting Commissioner of Social Security,	<ul> <li>) FAILURE TO COMPLY WITH THE COURT'S</li> <li>) ORDER</li> </ul>
15	Defendant.	)
16		_)
17	Dorothy Whipple initiated this action by filing a complaint on August 24, 2016, seeking judicial	
18	review of the decision to denying an application for Social Security benefits. (Doc. 1) On August 30,	
19	2016, the Court entered its Scheduling Order, setting forth the applicable deadlines. (Doc. 6) Pursuant	
20	to the Scheduling Order, the parties exchanged confidential letter briefs, with Defendant serving the	
21	Commissioner's response on March 30, 2017. (Docs. 17, 19)	
22	Following the exchange of letter briefs, Plaintiff sought an extension of time for filing an	
23	opening brief in the action, which was granted by the Court on April 19, 2017. (Docs. 20, 21) The	
24	Court granted the extensions requested, and ordered Plaintiff "to file an opening brief on or before	
25	May 19, 2017." (Doc. 21 at 1, emphasis in o	riginal) To date, Plaintiff not filed the opening brief.
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27 28		nissioner of Social Security. Pursuant to Rule 25(d) of the Federal A. Berryhill for her predecessor, Carolyn W. Colvin, as the

1	The Local Rules, corresponding with Fed. R. Civ. P. 11, provide: "Failure of counsel or of a		
2	party to comply with any order of the Court may be grounds for the imposition by the Court of any		
3	and all sanctions within the inherent power of the Court." Local Rule 110. "District courts have		
4	inherent power to control their dockets," and in exercising that power, a court may impose sanctions		
5	including dismissal of an action. <i>Thompson v. Housing Authority of Los Angeles</i> , 782 F.2d 829, 831		
6	(9th Cir. 1986). A court may dismiss an action with prejudice, based on a party's failure to prosecute		
7	an action or failure to obey a court order, or failure to comply with local rules. See, e.g. Ferdik v.		
8	Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (dismissal for failure to comply with an order);		
9	Malone v. U.S. Postal Service, 833 F.2d 128, 130 (9th Cir. 1987) (dismissal for failure to comply with		
10	a court order); Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for failure to		
11	prosecute and to comply with local rules).		
12	Accordingly, within 14 days, Plaintiff SHALL show cause in writing why the action should		
13	not be dismissed for failure to prosecute or to follow the Court's Order or, within the same time period		
14	to file an opening brief. If Plaintiff fails to comply with the deadline as ordered, the Court will		
15	find that Plaintiff has abandoned the action, and dismiss the matter.		
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17	IT IS SO ORDERED.		
18	Dated: May 31, 2017 /s/ Jennifer L. Thurston		
19	UNITED STATES MAGISTRATE JUDGE		
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