1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 EASTERN DISTRICT OF CALIFORNIA 10 11 JEFF WALKER, Case No. 1:16-cv-01417-JLT (PC) 12 Plaintiff, ORDER DISMISSING CASE 13 WITHOUT PREJUDICE v. 14 WECHSLER, et al., (Docs. 26, 27, 33) 15 Defendants. 16 On June 12, 2017, the Court ruled on Defendant's motion to dismiss, revoked Plaintiff's 17 in forma pauperis status, and ordered Plaintiff to pay the filing fee in full within 21 days. (Doc. 18 33.) A month has now passed and Plaintiff has not paid the filing fee. 19 The Local Rules, corresponding with Fed. R. Civ. P. 11, provide, "[f]ailure of counsel, or 20 of a party to comply with . . . any order of the Court may be grounds for the imposition by the 21 Court of any and all sanctions . . . within the inherent power of the Court." Local Rule 110. 22 "District courts have inherent power to control their dockets," and in exercising that power, a 23 court may impose sanctions, including dismissal of an action. Thompson v. Housing Authority of 24 Los Angeles, 782 F.2d 829, 831 (9th Cir. 1986). A court may dismiss an action with prejudice, 25 based on a party's failure to prosecute an action or failure to obey a court order, or failure to 26 comply with local rules. See, e.g. Ferdik v. Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992) 27

(dismissal for failure to comply with an order requiring amendment of complaint); Malone v. U.S.

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Postal Service, 833 F.2d 128, 130 (9th Cir. 1987) (dismissal for failure to comply with a court order); Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for failure to prosecute and to comply with local rules). A civil action may not proceed absent the submission of either the filing fee or a completed application to proceed in forma pauperis. 28 U.S.C. §§ 1914, 1915. Plaintiff is not eligible for the latter and was ordered to pay the filing fee. (Doc. 33.) Based on Plaintiff's failure to comply with the Court's order to pay the filing fee, dismissal of this action is appropriate. *In re* Phenylpropanolamine (PPA) Products Liability Litigation, 460 F.3d 1217, 1226 (9th Cir. 2006); Local Rule 110. Accordingly, the Court **ORDERS** that this action is **DISMISSED** without prejudice because of Plaintiff's failure to obey the Court's June 12, 2017 order and to pay the filing fee. IT IS SO ORDERED. July 13, 2017 /s/ Jennifer L. Thurston Dated: UNITED STATES MAGISTRATE JUDGE