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

JORGE MACHUCA,)	Case No.: 1:16-cv-01497 - JLT
)	
Plaintiff,)	ORDER TO SHOW CAUSE WHY THE ACTION
)	SHOULD NOT BE DISMISSED FOR
v.)	PLAINTIFF’S FAILURE TO COMPLY WITH THE
)	COURT’S ORDER AND FAILURE TO
COUNTY OF KERN, et al.,)	PROSECUTE
)	
Defendants.)	
)	
)	

On August 10, 2017, the Court granted the motion of George Mgdesyan to withdraw as counsel for Plaintiff. (Doc. 23) The Court ordered Plaintiff to “notify the Court whether he intends to represent himself in this matter or whether he has secured substitute counsel and whether he intends to prosecute this action.” (*Id.* at 3) Plaintiff was directed to file the notification “**[n]o later than September 1, 2017.**” (*Id.*, emphasis in original) To date, Plaintiff has not indicated that he would prosecute the action, or notified the Court whether or not he would represent himself.

The Local Rules, corresponding with Fed. R. Civ. P. 11, provide: “Failure 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, based on a party’s failure to prosecute

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

6 Accordingly, Plaintiff is **ORDERED** to show cause **within fourteen days** of the date of
7 service of this Order why the action should not be dismissed for failure to prosecute or to follow the
8 Court's Order or, in the alternative, to notify the Court whether he intends to represent himself or has
9 secured counsel.

10
11 IT IS SO ORDERED.

12 Dated: September 6, 2017

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE