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6 **UNITED STATES DISTRICT COURT**
7 **EASTERN DISTRICT OF CALIFORNIA**
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9 RICHARD EARL GEORGE,

10 Plaintiff,

11 v.

12 VOONG, et al.,

13 Defendants.
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Case No. 1:16-cv-01514-SKO (PC)

**ORDER TO SHOW CAUSE WHY THE
ACTION SHOULD NOT BE DISMISSED
FOR PLAINTIFF'S FAILURE TO
COMPLY WITH THE COURT'S ORDER
AND FOR FAILURE TO STATE A CLAIM**

(Docs. 1, 6)

TWENTY-ONE (21) DAY DEADLINE

16 Plaintiff, Richard Earl George, is a state prisoner proceeding *pro se* and *in forma pauperis*
17 in this civil rights action pursuant to 42 U.S.C. § 1983. On June 7, 2017, the Court issued an
18 order finding that Plaintiff failed to state any cognizable claims, dismissing the Complaint, and
19 granting leave for Plaintiff to file a first amended complaint within twenty-one (21) days. (Doc.
20 6.) More than a month has passed and Plaintiff has failed to file an amended complaint or
21 otherwise respond to the Court's screening order.

22 The Local Rules, corresponding with Fed. R. Civ. P. 11, provide, "[f]ailure of counsel or
23 of a party to comply with . . . any order of the Court may be grounds for the imposition by the
24 Court of any and all sanctions . . . within the inherent power of the Court." Local Rule 110.
25 "District courts have inherent power to control their dockets," and in exercising that power, a
26 court may impose sanctions, including dismissal of an action. *Thompson v. Housing Authority of*
27 *Los Angeles*, 782 F.2d 829, 831 (9th Cir. 1986). A court may dismiss an action with prejudice,
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1 based on a party's failure to prosecute an action or failure to obey a court order, or failure to
2 comply with local rules. *See, e.g. Ferdik v. Bonzelet*, 963 F.2d 1258, 1260-61 (9th Cir. 1992)
3 (dismissal for failure to comply with an order requiring amendment of complaint); *Malone v. U.S.*
4 *Postal Service*, 833 F.2d 128, 130 (9th Cir. 1987) (dismissal for failure to comply with a court
5 order); *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for failure to
6 prosecute and to comply with local rules).

7 Accordingly, Plaintiff is **ORDERED** to show cause within twenty-one (21) days of the
8 date of service of this order why the action should not be dismissed for both his failure to state a
9 claim and to comply with the Court's order; alternatively, within that same time, Plaintiff may file
10 a first amended complaint or a notice of voluntary dismissal.

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12 IT IS SO ORDERED.

13 Dated: July 11, 2017

/s/ Sheila K. Olerto
UNITED STATES MAGISTRATE JUDGE