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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MATTHEW ALLEN,
Plaintiff,
v.
S. HUBBARD, et al.,
Defendants.

Case No. 1:16-cv-01751-BAM (PC)
**ORDER TO SHOW CAUSE WHY THIS
ACTION SHOULD NOT BE DISMISSED
FOR FAILURE TO PROSECUTE AND
FAILURE TO OBEY A COURT ORDER**
(ECF No. 3)
TWENTY (20) DAY DEADLINE

Plaintiff Matthew Allen (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action under 42 U.S.C. § 1983. Plaintiff initiated this action on November 18, 2016. (ECF No. 1.) On November 22, 2016, the Court issued an order directing Plaintiff to submit an application to proceed in forma pauperis or pay the filing fee within forty-five (45) days. (ECF No. 3.) The deadline to submit the application or pay the filing fee has expired, and Plaintiff has not complied with this order or otherwise communicated with the Court.

Local Rule 110 provides that “[f]ailure of counsel or of a party to comply with these Local Rules 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.” Further, the failure of Plaintiff to prosecute this action is grounds for dismissal. *In re Phenylpropanolamine (PPA) Products Liability Litigation*, 460 F.3d 1217, 1226 (9th Cir. 2006).

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Accordingly, the Court HEREBY ORDERS that:

1. The Clerk of the Court shall serve this order and a blank application to proceed in forma pauperis on Plaintiff;
2. Within **twenty (20) days** of service of this order, Plaintiff shall EITHER:
 - a. Complete and return the application to proceed in forma pauperis, or in the alternative, pay the \$400.00 filing fee for this action; OR
 - b. Show cause in writing why this action should not be dismissed for failure to prosecute and failure to obey a court order;
3. **Plaintiff's failure to comply with this order will result in the dismissal of this action for failure to prosecute and failure to obey a court order.**

IT IS SO ORDERED.

Dated: January 17, 2017

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE