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

TOMMIE LEE BAKER, III,  
Plaintiff,  
v.  
RAYMOND A. MORENO, et al.,  
Defendants.

**1:16-cv-01758-AWI-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 PROSECUTE**  
**(Docs. 27, 29)**  
**TWENTY-ONE (21) DAY DEADLINE**

Plaintiff, Tommie Lee Baker, III, is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

On November 27, 2017, Defendants filed a motion for summary judgment under Federal Rule of Civil Procedure 56 asserting Plaintiff’s failure to exhaust administrative remedies prior to filing suit. (Doc. 27.) On November 28, 2017, a Second Informational Order issued informing Plaintiff of the requirements to oppose a motion for summary judgment as well as his duty to file either an opposition or a statement of non-opposition and was ordered to file either responsive document within twenty-one (21) days. (Doc. 29.) More than a month has lapsed without Plaintiff filing either pleading.

The Local Rules, corresponding with Fed. R. Civ. P. 11, provide, “[f]ailure 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

