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

VICTOR M. SIENZE,  
Plaintiff,

v.

MADERA COUNTY SHERIFF’S OFFICE,  
et al.,  
Defendants.

Case No. 1:17-cv-00736-AWI-SAB

ORDER REQUIRING PLAINTIFF TO  
SHOW CAUSE WHY SANCTIONS  
SHOULD NOT ISSUE FOR FAILURE TO  
APPEAR FOR MANDATORY  
SCHEDULING CONFERENCE

FOURTEEN DAY DEADLINE

Plaintiff Victor M. Sienze is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On November 27, 2017, the order setting the mandatory scheduling conference issued in this action. (ECF No. 15.) Pursuant to the order, all parties were to attend the scheduling conference on February 20, 2018. (Id. at 2.) As Plaintiff is not represented by counsel his personal appearance was required. (Id.) The order also informed the parties that “[s]hould counsel or a party appearing pro se fail to appear at the Mandatory Scheduling Conference, or fail to comply with the directions as set forth above, an ex parte hearing may be held and contempt sanctions, including monetary sanctions, dismissal, default, or other appropriate judgment, may be imposed and/or ordered.” (Id. at 7 (emphasis in original).)

The parties filed their joint scheduling report on January 31, 2018. (ECF No. 16.)

1 Plaintiff did not appear for the February 20, 2018 mandatory scheduling conference.

2 Local Rule 110 provides that “[f]ailure of counsel or of a party to comply with these  
3 Rules or with any order of the Court may be grounds for imposition by the Court of any and all  
4 sanctions . . . within the inherent power of the Court.” The Court has the inherent power to  
5 control its docket and may, in the exercise of that power, impose sanctions where appropriate,  
6 including dismissal of the action. Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir.  
7 2000).

8 Accordingly, the Court HEREBY ORDERS PLAINTIFF TO SHOW CAUSE within  
9 **fourteen (14) days** of the date of entry of this order why sanctions should not issue for his  
10 failure to comply with the November 27, 2017 order requiring his personal appearance at the  
11 mandatory scheduling conference. **Plaintiff is forewarned that the failure to show cause may**  
12 **result in the imposition of sanctions, including the dismissal of this action for failure to**  
13 **prosecute.**

14 IT IS SO ORDERED.

15 Dated: February 20, 2018

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18 UNITED STATES MAGISTRATE JUDGE