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

CHRISTOPHER RENFRO,

Plaintiff,

v.

J.G. BOSWELL CO. INC., et al.,

Defendants.

Case No. 1:17-cv-01069-LJO-SAB

ORDER REQUIRING PLAINTIFF TO  
SHOW CAUSE WHY SANCTIONS  
SHOULD NOT BE IMPOSED FOR  
FAILURE TO COMPLY WITH COURT  
ORDER

(ECF No. 6)

Plaintiff Christopher Renfro (“Plaintiff”), appearing pro se and in forma pauperis, filed the complaint in this action on August 9, 2017. (ECF No. 1.) The undersigned screened Plaintiff’s complaint and found that it did not state a claim. On September 14, 2017 an order was filed granting Plaintiff leave to file an amended complaint. (ECF No. 6.) On October 19, 2017, Plaintiff was granted a thirty day extension of time to file his first amended complaint. (ECF No. 8.) On November 16, 2017, Defendants specially appeared to bring a motion for sanctions pursuant to Rule 11 of the Federal Rules of Civil Procedure. (ECF No. 10.) The motion was referred to the undersigned and hearing on Defendants’ motion is set for December 20, 2017. On November 29, 2017, Plaintiff filed a first amended complaint.

In the September 14, 2017 order, Plaintiff was informed that his amended complaint could not exceed twenty-five (25) pages in length. (ECF No. 6 at 13-14, 15.) Plaintiff’s first amended complaint does not comply with the requirements of the September 14, 2017 screening

1 order as the first amended complaint is 46 pages in length. (ECF No. 13.) In the September 13,  
2 2017 order, Plaintiff was informed that if he failed to file an amended complaint in compliance  
3 with the order this action would be dismissed for failure to state a claim. (ECF No. 6 at 15.)

4 Similarly, in the October 19, 2017, Plaintiff was ordered to file a complaint within thirty  
5 and advised that failure to file an amended complaint in compliance with the order would result  
6 in a recommendation that this action be dismissed. (ECF No. 8.) Plaintiff's first amended  
7 complaint was not filed in compliance with the October 19, 2017 order. Plaintiff's first amended  
8 complaint was filed on November 29, 2017, forty-two days after the October 19, 2017 order was  
9 filed.

10 Local Rule 110 provides that "[f]ailure of counsel or of a party to comply with these  
11 Rules or with any order of the Court may be grounds for imposition by the Court of any and all  
12 sanctions . . . within the inherent power of the Court." The Court has the inherent power to  
13 control its docket and may, in the exercise of that power, impose sanctions where appropriate,  
14 including dismissal of the action. Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir.  
15 2000).

16 Accordingly, Plaintiff is **HEREBY ORDERED** to **personally appear** before United  
17 States Magistrate Judge Stanley A. Boone, at the United States Courthouse, 2500 Tulare St.,  
18 Fresno, California, Courtroom 9, on **Wednesday, December 20, 2017, at 2:30 p.m.** to show  
19 cause why sanctions should not be imposed for the failure to comply with a court order. Plaintiff  
20 is advised that failure to appear in compliance with this order will result in the recommendation  
21 that this action be dismissed.

22 IT IS SO ORDERED.

23 Dated: November 30, 2017

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26 UNITED STATES MAGISTRATE JUDGE  
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