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| 8<br>9 | UNITED STATES DISTRICT COURT   |   |
| 9      | EASTERN DISTRICT OF CALIFORNIA   |   |
| 10     | THOMAS RICHARDS, individually and on   | ) Case No.: 1:17-cv-1094 LJO JLT  |
| 12     | behalf of all others similarly situated,   | ORDER TO PLAINTIFF TO SHOW CAUSE WHY                                      |
| 13     | Plaintiff,   | SANCTIONS SHOULD NOT BE IMPOSED FOR<br>FAILURE TO COMPLY WITH THE COURT'S |
| 14     | v.   | ORDER   |
| 15     | CORECIVIC OF TENNESSEE, LLC,   |   |
| 16     | Defendant.   |   |
| 17     | On May 15, 2019, Plaintiff requested an extension of time to file a motion for preliminary               |   |
| 18     | approval of the class settlement. (Doc. 37) Based upon the information provided, the Court granted the   |   |
| 19     | extension of time, stating "the deadline for Plaintiff to file his unopposed motion for preliminary      |   |
| 20     | approval of class action settlement is continued to July 15, 2019." (Doc. 38 at 5, emphasis omitted)     |   |
| 21     | To date, Plaintiff has failed to file his motion for approval of the settlement or otherwise comply with |   |
| 22     | the Court's order to seek approval of the settlement terms.  |   |
| 23     | The Local Rules, corresponding with Fed. R. Civ. P. 11, provide: "Failure of counsel or of a             |   |
| 24     | party to comply with any order of the Court may be grounds for the imposition by the Court of any        |   |
| 25     | and all sanctions within the inherent power of the Court." Local Rule 110. "District courts have         |   |
| 26     | inherent power to control their dockets," and in exercising that power, a court may impose sanctions     |   |
| 27     | including dismissal of an action. Thompson v. Housing Authority of Los Angeles, 782 F.2d 829, 831        |   |
| 28     | (9th Cir. 1986). A court may dismiss an action with prejudice, based on a party's failure to prosecute   |   |

it or failure to obey a court order, or failure to comply with local rules. See, e.g. Ferdik v. Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (dismissal for failure to comply with an order); Malone v. U.S. Postal Service, 833 F.2d 128, 130 (9th Cir. 1987) (dismissal for failure to comply with a court order); Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for failure to prosecute and to comply with local rules). Accordingly, Plaintiff **ORDERED** to show cause within 14 days of the date of service of this Order why terminating sanctions should not be imposed for his failure to comply with the Court's order, or in the alternative, to file his motion for preliminary approval of the class action settlement. IT IS SO ORDERED. /s/ Jennifer L. Thurston Dated: July 28, 2019 UNITED STATES MAGISTRATE JUDGE