

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

JON OF THE FAMILY KNUTSON,) Case No.: 1:17-cv-01209 -AWI-JLT
Plaintiff,)
v.) ORDER TO SHOW CAUSE WHY THE ACTION
CALIFORNIA DEPARTMENT OF) SHOULD NOT BE DISMISSED FOR PLAINTIFF'S
HUMAN SERVICES, et al.) FAILURE TO COMPLY WITH THE COURT'S
Defendants.) ORDER AND FAILURE TO PROSECUTE
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Plaintiff alleges the California Department of Human Services, Kern County Division of Child Support Customer Services, Jonathan Shugart, and Ralph McKnight are liable for due process violations related to child support orders. (See Doc. 1) On September 12, 2017, the Court determined Plaintiff failed to allege facts sufficient to support a claim for a violation of due process, and dismissed the complaint with leave to amend. (Doc. 2 at 6) The Court granted Plaintiff thirty days to file an amended complaint. (*Id.*) To date, Plaintiff has not done so or otherwise responded to the Court's order.

The Local Rules, corresponding with Fed. R. Civ. P. 11, provide: “Failure 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 court may impose sanctions including dismissal of an action. *Thompson v. Housing Authority of Los Angeles*, 782 F.2d 829, 831

1 (9th Cir. 1986). A court may dismiss an action with prejudice, based on a party's failure to prosecute
2 an action or failure to obey a court order, or failure to comply with local rules. *See, e.g. Ferdik v.*
3 *Bonzelet*, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (dismissal for failure to comply with an order
4 requiring amendment of complaint); *Malone v. U.S. Postal Service*, 833 F.2d 128, 130 (9th Cir. 1987)
5 (dismissal for failure to comply with a court order); *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th
6 Cir. 1986) (dismissal for failure to prosecute and to comply with local rules).

7 Accordingly, Plaintiff is **ORDERED** to show cause within fourteen days of the date of
8 service of this Order why the action should not be dismissed for his failure comply with the Court's
9 order and failure to prosecute, or in the alternative, to file an amended complaint.

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11 IT IS SO ORDERED.

12 Dated: October 19, 2017

13 /s/ Jennifer L. Thurston
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