1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF CALIFORNIA 10 11 GEORGE E. JACOBS. Case No. 1:17-cv-01599-DAD-JLT (PC) 12 Plaintiff, ORDER TO SHOW CAUSE WHY THE ACTION SHOULD NOT BE DISMISSED FOR 13 PLAINTIFF'S FAILURE TO COMPLY WITH v. THE COURT'S ORDER, TO PROSECUTE THIS 14 CDCR, et al., ACTION. AND FOR FAILURE TO STATE A CLAIM 15 Defendants. (Docs. 1, 14) 16 21-DAY DEADLINE 17 18 On September 21, 2018, the Court screened the complaint and gave Plaintiff 21 days to 19 file a first amended complaint or a notice of voluntary dismissal. (Doc. 14.) More than a month 20 has passed and Plaintiff has done neither. 21 The Local Rules, corresponding with Fed. R. Civ. P. 11, provide, "[f]ailure of counsel, or 22 of a party to comply with . . . any order of the Court may be grounds for the imposition by the 23 Court of any and all sanctions . . . within the inherent power of the Court." Local Rule 110. 24 "District courts have inherent power to control their dockets," and in exercising that power, a 25 court may impose sanctions, including dismissal of an action. Thompson v. Housing Authority of 26 Los Angeles, 782 F.2d 829, 831 (9th Cir. 1986). A court may dismiss an action with prejudice, 27 based on a party's failure to prosecute an action or failure to obey a court order, or failure to 28 comply with local rules. See, e.g. Ferdik v. Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992)

1	(dismissal for failure to comply with an order requiring amendment of complaint); Malone v. U.S.
2	Postal Service, 833 F.2d 128, 130 (9th Cir. 1987) (dismissal for failure to comply with a court
3	order); Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for failure to
4	prosecute and to comply with local rules).
5	Accordingly, within 21 days of the date of service of this order, Plaintiff SHALL show
6	cause in writing why this action should not be dismissed for his failure to comply with the
7	Court's order, to prosecute this action, and to state a cognizable claim.
8	Plaintiff's failure to file a timely response will result in recommendation that this
9	action be dismissed.
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11	IT IS SO ORDERED.
12	Dated: October 29, 2018 /s/ Jennifer L. Thurston
13	UNITED STATES MAGISTRATE JUDGE
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