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

ISMAEL MUNOZ FERRER,  
  
Plaintiff,  
  
v.  
  
NANCY A. BERRYHILL, Commissioner  
of Social Security,  
  
Defendant.

**No. 1:18-cv-00494-GSA**

**ORDER TO SHOW CAUSE FOR  
PLAINTIFF’S FAILURE  
TO FILE OPENING BRIEF**

Following the exchange of confidential letter briefs, the scheduling order required Plaintiff Ismael Munoz Ferrer to file an opening brief in the above-entitled case on or before January 7, 2019. Doc. 4. On January 14, 2019, Plaintiff and the Commissioner stipulated to an extension of time for Plaintiff’s filing of his opening brief and provided that the opening brief was to have be filed February 5, 2019. Doc. 17. Although over fourteen days have elapsed since the date on which the parties stipulated that the opening brief was to be filed, Plaintiff has neither filed an opening brief nor requested an additional extension of time.

Rule 110 of this Court’s Local Rules provides that the “failure of counsel or of a party to comply ... with any order of the Court may be grounds for imposition by the Court of any and all

1 sanctions ... within the inherent power of the Court.” This Court has the inherent power to  
2 manage its docket. *Thompson v. Housing Auth.*, 782 F.2d 829, 831 (9th Cir. 1986). A court may  
3 dismiss an action, with prejudice, based on a party’s failure to prosecute an action, failure to obey  
4 a court order, or failure to comply with local rules. *See, e.g., Ghazali v. Moran*, 46 F.3d 52, 53-54  
5 (9th Cir. 1995) (dismissal for noncompliance with local rule); *Ferdik v. Bonzelet*, 963 F.2d 1258,  
6 1260-61 (9th Cir. 1992) (dismissal for failure to comply with an order requiring amendment of  
7 complaint); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988) (dismissal for failure to  
8 comply with local rule requiring *pro se* plaintiffs to keep court apprised of address); *Henderson v.*  
9 *Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for lack of prosecution and failure to  
10 comply with local rules).  
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13 Given the above, Plaintiff is hereby ORDERED to file a written response to this Order to  
14 Show Cause WITHIN twenty (20) days of the date of this Order, explaining why she has not filed  
15 an opening brief in accordance with the stipulated extension of time (Doc. 16). In the alternative,  
16 Plaintiff may file an opening brief within twenty (20) days of the date of this order. No further  
17 extensions of time will be granted.

18 **Failure to respond to this Order to Show Cause within the time specified will result**  
19 **in dismissal of this action.**

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22 IT IS SO ORDERED.

23 Dated: February 20, 2019

/s/ Gary S. Austin  
24 UNITED STATES MAGISTRATE JUDGE  
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