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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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| RORY CHAVEZ, Plaintiff, v. GILBERTO ARIAS, et al., Defendants. |)))))))) | Case No.: 1:19-cv-0603 - JLT ORDER TO THE PARTIES TO SHOW CAUSE WHY SANCTIONS SHOULD NOT BE IMPOSED FOR FAILURE TO COMPLY WITH THE COURT’S ORDER |
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Previously, Plaintiff notified the Court that “a settlement has been reached... between Plaintiff and Defendant Mayra R. Paniagua, only,” and dismissal documents were anticipated within 60 days. (Doc. 46) Based upon the information provided, the Court ordered: “The stipulation to dismiss the action as to Ms. Paniagua **SHALL** be filed **no later than November 16, 2020**.” (Doc. 47 at 1, emphasis in original) To date, however, the parties have not filed the stipulation to dismiss the claims against Ms. Paniagua.

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 (9th Cir. 1986). A court may impose sanctions, including dismissal of an action with prejudice, based

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

6 Accordingly, **within seven days** the parties **SHALL** show cause in writing why sanctions
7 should not be imposed for their failure to comply with the Court's order. Alternatively, **within seven**
8 **days** they may file the stipulation for dismissal of the action.

9
10 IT IS SO ORDERED.

11 Dated: **November 17, 2020**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE