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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FREDERICK ROGERS,

 Plaintiff,

 v.

SHERMAN, et al.,

 Defendants.

Case No.: 1:19-cv-01124-SKO (PC)

ORDER TO SHOW CASE WHY ACTION
SHOULD NOT BE DISMISSED FOR
PLAINTIFF’S FAILURE TO COMPLY WITH
THE COURT’S ORDER

(Doc. 5)

21-DAY DEADLINE

Plaintiff Frederick Rogers is a prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. On August 21, 2019, the Court issued an order requiring Plaintiff, within 21 days, to submit an application to proceed *in forma pauperis* (IFP) or to pay the filing fee for this action. (Doc. 5.) Although more than 21 days have passed, Plaintiff has failed to file an IFP application, pay the filing fee, or otherwise respond to the Court’s order.

The Local Rules, corresponding with Fed. R. Civ. P. 11, provide, “[f]ailure 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, they

1 may impose sanctions, including dismissal of an action. *Thompson v. Housing Auth., City of Los*
2 *Angeles*, 782 F.2d 829, 831 (9th Cir. 1986). A court may dismiss an action based on a party's
3 failure to prosecute an action, obey a court order, or comply with local rules. *See, e.g. Ferdik v.*
4 *Bonzelet*, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (dismissal for failure to comply with a court
5 order requiring amendment of complaint); *Malone v. U.S. Postal Service*, 833 F.2d 128, 130-31
6 (9th Cir. 1987) (dismissal for failure to comply with a court order); *Henderson v. Duncan*, 779
7 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for failure to prosecute and to comply with local
8 rules).

9 Accordingly, Plaintiff is **ORDERED** to show cause **within 21 days** of the date of service
10 of this order why this action should not be dismissed for his failure to comply with the Court's
11 August 21, 2019 order. Alternatively, within that same time, Plaintiff may file an application to
12 proceed *in forma pauperis* or pay the filing fee. **Plaintiff's failure to comply with this order**
13 **will result in a recommendation that this action be dismissed for failure to obey the Court's**
14 **order.**

15 IT IS SO ORDERED.

16 Dated: October 7, 2019

/s/ Sheila K. Overt

UNITED STATES MAGISTRATE JUDGE