1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF CALIFORNIA 10 Case No. 1:20-cv-00976-NONE-SKO (PC) 11 LAWRENCE CONWAY, 12 Plaintiff, FINDINGS AND RECOMMENDATIONS TO DISMISS ACTION FOR FAILURE TO 13 v. OBEY COURT ORDERS AND FAILURE TO STATE A CLAIM 14 QUINONEZ, 14-DAY DEADLINE 15 Defendant. 16 17 On October 21, 2020, the Court screened Plaintiff's complaint and found that it fails to 18 state a claim on which relief can be granted. (Doc. 11.) The Court granted Plaintiff leave to 19 amend within 21 days. (Id.) Plaintiff failed to file an amended complaint or otherwise respond to 20 the Court's screening order. Therefore, on December 4, 2020, the Court ordered Plaintiff to show 21 cause, within 21 days, why this action should not be dismissed for failure to comply with a court 22 order. (Doc. 12.) Although more than the allowed time has passed, Plaintiff has not responded to 23 the order to show cause. 24 The Local Rules, corresponding with Federal Rule of Civil Procedure 11, provide, 25 "[f]ailure of counsel or of a party to comply with ... any order of the Court may be grounds for 26 the imposition by the Court of any and all sanctions ... within the inherent power of the Court." 27 Local Rule 110. "District courts have inherent power to control their dockets" and, in exercising

that power, may impose sanctions, including dismissal of an action. Thompson v. Housing Auth.,

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1	City of Los Angeles, 782 F.2d 829, 831 (9th Cir. 1986). A court may dismiss an action based on a
2	party's failure to prosecute an action, obey a court order, or comply with local rules. See, e.g.,
3	Ferdik v. Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (dismissal for failure to comply with a
4	court order to amend a complaint); Malone v. U.S. Postal Service, 833 F.2d 128, 130-31 (9th Cir.
5	1987) (dismissal for failure to comply with a court order); Henderson v. Duncan, 779 F.2d 1421,
6	1424 (9th Cir. 1986) (dismissal for failure to prosecute and to comply with local rules).
7	It appears that Plaintiff has abandoned this action. Whether he has done so mistakenly or
8	intentionally is inconsequential. It is Plaintiff's responsibility to comply with the Court's orders.
9	The Court declines to expend its limited resources on a case that Plaintiff has chosen to ignore.
10	Based on the foregoing, the Court RECOMMENDS that this action be DISMISSED for
11	failure to obey court orders and failure to state a claim on which relief can be granted. These
12	Findings and Recommendations will be submitted to the United States District Judge assigned to
13	this case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within 14 days of the date of
14	service of these Findings and Recommendations, Plaintiff may file written objections with the
15	Court. The document should be captioned, "Objections to Magistrate Judge's Findings and
16	Recommendations." Plaintiff's failure to file objections within the specified time may result in
17	waiver of his rights on appeal. Wilkerson v. Wheeler, 772 F.3d 834, 839 (9th Cir. 2014) (citing
18	Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)).
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20	IT IS SO ORDERED.
21	Dated: January 8, 2021 /s/ Sheila K. Oberto
22	UNITED STATES MAGISTRATE JUDGE
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