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8   IN THE UNITED STATES DISTRICT COURT

9   FOR THE EASTERN DISTRICT OF CALIFORNIA

10   KEITH T. TOWNS,

11   Plaintiff,   No. CIV S-04-1855 KJM-EFB

12   vs.

13   AMERIQUEST MORTGAGE CO.; et al.,

14   Defendants.   ORDER

15   /

16   The court entered an order to show cause on August 4, 2011 in the above-

17   captioned matter, ordering plaintiff to show cause within fourteen days why sanctions should not

18   be imposed against him or his counsel for failure to comply with Local Rule 230(c) and why this

19   case should not be dismissed for failure to prosecute. (ECF 90.) Plaintiff has not filed a

20   response, timely or otherwise.

21   "[A] federal district court has the inherent power to dismiss a case *sua sponte* for

22   failure to prosecute . . . ." *Chambers v. NASCO, Inc.*, 501 U.S. 32, 49 (1991). Local Rule 110

23   states: "Failure of counsel or a party to comply with these Rules or with any order of the Court

24   may be grounds for imposition by the Court of any and all sanctions authorized by statute or

25   Rule or within the inherent power of the Court."

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A cursory review of the docket is sufficient to show that plaintiff has wholly failed to comply with the court's order or otherwise to prosecute this case; the last action taken by plaintiff was his request for substitution of attorney, filed on December 21, 2010. (ECF 77.)

Accordingly, it is hereby ORDERED:

1)   This case is DISMISSED WITH PREJUDICE;

2)   Plaintiff's counsel will pay sanctions in the amount of $250.00 for his failure to file a response to the order to show cause filed on August 4, 2011. Payment should be in the form of a check made payable to the Clerk of the Court. The sum is to be paid personally by plaintiff's counsel not later than fourteen (14) days from the filing of this order;

3)   Defendants' motion for summary judgment (ECF 87) is DENIED as moot; and

4)   This case is CLOSED.

IT IS SO ORDERED.

DATED: September 2, 2011.

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UNITED STATES DISTRICT JUDGE