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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 DAVID R. DOBSON,

11 Plaintiff,

No. 2:09-cv-01460-KJN

12 v.

ORDER TO SHOW CAUSE

13 MICHAEL C. ASTRUE,
14 Commissioner of Social Security,

15 Defendant.
_____ /

16 Plaintiff, who is represented by counsel, filed his complaint and application to
17 proceed in this action in forma pauperis on May 27, 2009. (Dkt. Nos. 1, 3.) On June 17, 2009,
18 this court granted plaintiff's motion to proceed in forma pauperis (Dkt. No. 4) and issued a
19 scheduling order setting forth, among other things, a deadline by which defendant was required
20 to file the administrative transcript and an answer or other response to plaintiff's complaint, and a
21 deadline by which plaintiff was required to file a motion for summary judgment and/or remand.
22 (Dkt. No. 5.) The scheduling order provides, in part: "FAILURE TO COMPLY WITH ANY
23 PORTION OF THIS SCHEDULE MAY RESULT IN SANCTIONS, INCLUDING STRIKING
24 A MOTION FROM CALENDAR, OR STRIKING THE COMPLAINT OR ANSWER." (Dkt.
25 No. 5 at 2.)

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1 On February 25, 2010, defendant lodged the administrative transcript with the
2 court and filed an answer to plaintiff's complaint. (Dkt. Nos. 15-17.)

3 On April 6, 2010, the parties filed a stipulation and proposed order seeking an
4 order extending the date by which plaintiff would be required to file a motion for summary
5 judgment until May 17, 2010. (Dkt. No. 19.) On April 7, 2010, the court approved the parties'
6 stipulation and granted the requested extension. (Dkt. No. 20.)

7 The court's docket reveals that plaintiff has not filed a motion for summary
8 judgment, and has not otherwise communicated with the court since the court approved the
9 April 6, 2010 stipulation. Accordingly, plaintiff is ordered to show cause in writing, on or before
10 June 21, 2010, why this case should not be dismissed for lack of prosecution. Failure to timely
11 file the required writing may result in dismissal. See Fed. R. Civ. P. 41(b); Local Rules 110,
12 183(a); see also Hells Canyon Pres. Council v. U.S. Forest Serv., 403 F.3d 683, 689 (9th Cir.
13 2005) (recognizing that a court may dismiss an action pursuant to Federal Rule of Civil
14 Procedure 41(b) *sua sponte* for a plaintiff's failure to prosecute or comply with the rules of civil
15 procedure or the court's orders); Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995) (per curiam)
16 ("Failure to follow a district court's local rules is a proper ground for dismissal.")

17 IT IS SO ORDERED.

18 DATED: May 25, 2010

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22 KENDALL J. NEWMAN
23 UNITED STATES MAGISTRATE JUDGE
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