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

SANDRA ANDRE-GOLLIHAR,

Plaintiff,

No. 2:09-cv-03313 MCE KJN PS

v.

COUNTY OF SAN JOAQUIN; SAN
JOAQUIN COUNTY SHERIFFS
DEPARTMENT,

Defendants.

ORDER

_____/

On April 6, 2010, the undersigned granted plaintiff’s application to proceed in forma pauperis and ordered the service of plaintiff’s complaint on two defendants. (Dkt. No. 6.) That order directed the Clerk of Court to send certain materials to plaintiff in relation to service of the complaint, and the Clerk of Court did so on April 7, 2010. (Dkt. No. 7.) The court’s order also provided that: “Plaintiff shall supply the United States Marshal, within 30 days from the date this order is filed, all information needed by the Marshal to effectuate service of process, and *shall, within 10 days thereafter, file a statement with the court that such documents have been submitted to the United States Marshal.*” (Dkt. No. 6 at 9.) It further provided that “[p]laintiff’s failure to comply with this order may result in a recommendation that this action be dismissed.” (Id. at 10.)

1 As of the date of this order, plaintiff has not filed the required statement notifying
2 the court that she timely submitted the required service documents to the United States Marshal.
3 Plaintiff's failure to comply with the court's order and failure to prosecute her lawsuit are
4 grounds for dismissal. See Fed. R. Civ. P. 41(b); Local Rules 110, 183(a); see Hells Canyon
5 Preservation Council v. U.S. Forest Serv., 403 F.3d 683, 689 (9th Cir. 2005) (recognizing that
6 courts may dismiss an action pursuant to Federal Rule of Civil Procedure 41(b) *sua sponte* for a
7 plaintiff's failure to prosecute or comply with the rules of civil procedure or the court's orders);
8 Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995) (per curiam) ("Failure to follow a district
9 court's local rules is a proper ground for dismissal."); King v. Atiyeh, 814 F.2d 565, 567 (9th Cir.
10 1987) ("Pro se litigants must follow the same rules of procedure that govern other litigants.").

11 Accordingly, IT IS HEREBY ORDERED that:

12 1. Within 14 days of the date of service of this order, plaintiff shall file a
13 written statement with the court showing good cause why her lawsuit should not be dismissed for
14 failure to prosecute and failure to comply with the court's order.

15 2. Plaintiff's failure to file the required writing shall constitute additional
16 grounds for dismissal of this action.

17 IT IS SO ORDERED.

18 DATED: July 8, 2010

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22 KENDALL J. NEWMAN
23 UNITED STATES MAGISTRATE JUDGE
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