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

HAROLD DWANE GIBBONS,

Plaintiff,

No. 2:10-cv-02880 KJN PS

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

ORDER TO SHOW CAUSE

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Plaintiff, who is proceeding without counsel and in forma pauperis, filed a social security complaint against defendant, the Commissioner of the Social Security Administration. (Dkt. No. 1.) On November 1, 2010, the court entered an order granting plaintiff's in forma pauperis application, which required the plaintiff, within fourteen days of the date of that order, to file a statement with the court that certain service documents had been submitted to the United States Marshal. (Dkt. No. 4 at 2:4-6.) That fourteen days expired on November 15, 2010. The docket reflects that plaintiff has not filed any statement reflecting submission of the appropriate service documents to the United States Marshal.

Therefore, the plaintiff will be ordered to show cause why he should not be sanctioned for failing to comply with his obligation to file such a statement and/or comply with this court's orders. See Local Rule 110 ("Failure of counsel or of a party to comply with these

1 Rules or with any order of the Court may be grounds for imposition by the Court of any and all  
2 sanctions authorized by statute or Rule or within the inherent power of the Court.”); Local Rule  
3 183(a) (“Any individual representing himself or herself without an attorney is bound by the  
4 Federal Rules of Civil or Criminal Procedure, these Rules, and all other applicable law.”); see  
5 Hells Canyon Preservation Council v. U.S. Forest Serv., 403 F.3d 683, 689 (9th Cir. 2005)  
6 (recognizing that a court may dismiss an action pursuant to Federal Rule of Civil Procedure 41(b)  
7 *sua sponte* for a plaintiff’s failure to prosecute or comply with the rules of civil procedure or the  
8 court’s orders); Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995) (per curiam) (“Failure to follow  
9 a district court’s local rules is a proper ground for dismissal.”); King v. Atiyeh, 814 F.2d 565,  
10 567 (9th Cir. 1987) (“Pro se litigants must follow the same rules of procedure that govern other  
11 litigants.”).


12 Based on the foregoing, IT IS HEREBY ORDERED that:

13 1. Plaintiff shall show cause, in writing, on or before December 15, 2010,  
14 why sanctions should not be imposed for failure to file a statement regarding service in  
15 compliance with the court’s order granting his in forma pauperis application (Dkt. No. 4).

16 2. Failure of plaintiff to comply with this order may result in the imposition  
17 of sanctions which may include a recommendation that this action be dismissed for lack of  
18 prosecution. See Fed. R. Civ. P. 41(b).

19 IT IS SO ORDERED.

20 DATED: November 30, 2010

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23 KENDALL J. NEWMAN  
24 UNITED STATES MAGISTRATE JUDGE  
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