UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID PERRYMAN,

Plaintiff,

v.

DUFFY, et al.,

Defendants.

No. 2:14-cv-2967-EFB P

ORDER

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1) and is before the undersigned pursuant to plaintiff's consent. *See* 28 U.S.C. § 636; *see also* E.D. Cal. Local Rules, Appx. A, at (k)(4).

On April 26, 2017, the court screened plaintiff's amended complaint pursuant to 28 U.S.C. § 1915A. The court dismissed plaintiff's amended complaint, explained the deficiencies therein and granted plaintiff thirty days in which file an amended complaint to cure the deficiencies. ECF No. 43. The order warned plaintiff that failure to comply would result in this action being dismissed for failure to prosecute. The time for acting has passed and plaintiff has not filed an amended complaint, or otherwise responded to the court's order.

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A party's failure to comply with any order or with the Local Rules "may be grounds for imposition by the Court of any and all sanctions authorized by statute or Rule or within the inherent power of the Court." E.D. Cal. Local Rule 110. The court may dismiss an action with or without prejudice, as appropriate, if a party disobeys an order or the Local Rules. *See Ferdik v. Bonzelet*, 963 F.2d 1258, 1263 (9th Cir. 1992) (district court did not abuse discretion in dismissing pro se plaintiff's complaint for failing to obey an order to re-file an amended complaint to comply with Federal Rules of Civil Procedure); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988) (dismissal for pro se plaintiff's failure to comply with local rule regarding notice of change of address affirmed).

Accordingly, it is hereby ORDERED that this action is DISMISSED without prejudice. Fed. R. Civ. P. 41(b); E. D. Cal. Local Rule 110.

Dated: June 6, 2017.

EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE