UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

RAY CARRILLO,

Petitioner,

v.

PLACER COUNTY SUPERIOR COURT,

Respondent.

No. 2:15-cv-1461-EFB P

ORDER

Petitioner is a state prisoner without counsel seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2254. 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 petitioner's consent. *See* 28 U.S.C. § 636; *see also* E.D. Cal. Local Rules, Appx. A, at (k)(4).

On July 15, 2015, the court reviewed the petition pursuant to Rule 4 of the Rules Governing Section 2254 Cases. The court found that petitioner had not properly completed the form petition by responding to the questions raised therein. As drafted, the court was unable to determine the nature of petitioner's intended grounds for relief or discharge its duty under Rule 4. ECF No. 10. The order granted petitioner thirty days in which to file an amended petition and warned him that failure to comply would result in this action being dismissed. The time for acting has passed and petitioner has not filed an amended petition, or otherwise responded to the court's order.

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 and the court declines to issue a certificate of appealability.

Dated: August 31, 2015.

EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE