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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 RAM RAMSING,

12 Plaintiff,

13 v.

14 SACRAMENTO SUPERIOR COURT,

15 Defendant.  
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No. 2:17-cv-2631-MCE-EFB PS

ORDER AND ORDER TO SHOW CAUSE

17 Plaintiff filed a motion for default judgment against defendant Sacramento Superior  
18 Court, but failed to notice the motion for hearing as required by the court's local rules. ECF No.  
19 16; *see* E.D. L.R. Cal. 230(b). Accordingly, he was ordered to contact chambers to obtain  
20 available civil law and motion hearing dates. Plaintiff has not complied with that order, nor has  
21 since properly noticed his motion for default judgment for hearing.

22 Local Rule 230(b) requires provides that "all motions shall be noticed on the motion  
23 calendar of the assigned Judge or Magistrate Judge . . . not less than 28 days after service and  
24 filing of the motion." Local Rule 183, governing persons appearing in pro se, provides that  
25 failure to comply with the Federal Rules of Civil Procedure and Local Rules may be grounds for  
26 dismissal, judgment by default, or other appropriate sanctions. Local Rule 110 provides that  
27 failure to comply with the Local Rules "may be grounds for imposition by the Court of any and  
28 all sanctions authorized by statute or Rule or within the inherent power of the Court." *See also*

1 *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995) (“Failure to follow a district court’s local rules  
2 is a proper ground for dismissal.”). Pro se litigants are bound by the rules of procedure, even  
3 though pleadings are liberally construed in their favor. *King v. Atiyeh*, 814 F.2d 565, 567 (9th  
4 Cir. 1987).

5 Accordingly, good cause appearing, it is hereby ORDERED that:

6 1. Plaintiff’s defectively filed motion for default judgment (ECF No. 16) is denied  
7 without prejudice to its renewal upon properly noticing the motion for hearing in compliance with  
8 the court’s local rules.

9 2. Plaintiff shall show cause, in writing, no later than December 14, 2018, why sanctions  
10 should not be imposed for failure to notice his motion for hearing as required by Local Rule  
11 230(b).

12 3. Failure of plaintiff to comply with this order may result in the imposition of sanctions,  
13 including a recommendation that this action be dismissed for lack of prosecution and/or for  
14 failure to comply with court orders and this court’s Local Rules. *See* Fed. R. Civ. P. 41(b).

15 DATED: November 29, 2018.

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17 EDMUND F. BRENNAN  
18 UNITED STATES MAGISTRATE JUDGE  
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