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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALLEN HAMMLER,
Plaintiff,
v.
E. COTA, *et al.*,
Defendants.

Case No. 2:19-cv-01423-JAM-JDP (PC)
ORDER TO SHOW CAUSE WHY THIS
CASE SHOULD NOT BE DISMISSED FOR
FAILURE TO PROSECUTE
RESPONSE DUE WITHIN TWENTY-ONE
DAYS

On October 6, 2020, the court screened plaintiff’s second amended complaint and notified plaintiff that the complaint impermissibly joined unrelated claims. ECF No. 29. Plaintiff was granted thirty days to file an amended complaint. On December 4, 2020, plaintiff was granted a thirty-day extension of time to file an amended complaint. ECF No. 31. To date, plaintiff has not filed an amended complaint.

To manage its docket effectively, the court imposes deadlines and requires litigants to meet those deadlines. When a plaintiff fails to comply with court-imposed deadlines, the court may dismiss the plaintiff’s case for failure to prosecute. *See* Fed. R. Civ. P. 41; *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005) (“[T]he consensus among our sister circuits, with which we agree, is that courts may dismiss under Rule 41(b) sua sponte, at least under certain circumstances.”). Involuntary dismissal is a harsh penalty, but the court

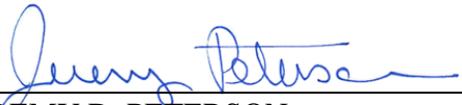
1 has a duty to administer justice expeditiously and avoid needless burden for the parties. *See*
2 *Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

3 Plaintiff will be given an opportunity to explain why the court should not dismiss his case
4 for failure prosecute. Plaintiff's failure to respond to this order will constitute a failure to
5 comply with a court order and will result in dismissal of this case. Accordingly, plaintiff must
6 show cause within twenty-one days of the date of entry of this order why the court should not
7 dismiss his case for failure to prosecute. Should plaintiff wish to continue with this lawsuit, he
8 shall also file, within twenty-one days, a third amended complaint.

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IT IS SO ORDERED.

Dated: February 17, 2021



JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE