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8   UNITED STATES DISTRICT COURT

9   FOR THE EASTERN DISTRICT OF CALIFORNIA

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11   LARRY ALLEN BURTON,   Case No. 2:20-cv-02395-JDP (PC)

12   Plaintiff,   ORDER TO SHOW CAUSE WHY THIS
                                                 CASE SHOULD NOT BE DISMISSED FOR
13   v.   FAILURE TO PROSECUTE AND FAILURE
                                                 TO STATE A CLAIM
14   ROBERT BURTON, *et al*.,
                                                 RESPONSE DUE WITHIN TWENTY-ONE
15   Defendants.   DAYS

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18   On February 2, 2021, the court screened plaintiff's complaint and notified plaintiff that it

19   failed to state a claim. ECF No. 7. Plaintiff was granted sixty days to file an amended complaint.

20   *Id.* To date, plaintiff has not filed an amended complaint.

21   To manage its docket effectively, the court imposes deadlines on litigants and requires

22   litigants to meet those deadlines. The court may dismiss a case for plaintiff's failure to prosecute

23   or failure to comply with its orders or local rules. *See* Fed. R. Civ. P. 41(b); *Hells Canyon Pres.*

24   *Council v. U.S. Forest Serv*., 403 F.3d 683, 689 (9th Cir. 2005); *Carey v. King*, 856 F.2d 1439,

25   1440-41 (9th Cir. 1988). Involuntary dismissal is a harsh penalty, but a district court has a duty to

26   administer justice expeditiously and avoid needless burden for the parties. *See Pagtalunan v.*

27   *Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

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Plaintiff will be given a chance to explain why the court should not dismiss the case for his failure to file an amended complaint. Plaintiff's failure to respond to this order will constitute a failure to comply with a court order and will result in a recommendation that this action be dismissed. Accordingly, plaintiff is ordered to show cause within twenty-one days why this case should not be dismissed for failure to prosecute and failure to state a claim. Should plaintiff wish to continue with this lawsuit, he shall file, within twenty-one days, a first amended complaint.

IT IS SO ORDERED.

Dated: April 23, 2021

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JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE