

1  
2  
3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF NEVADA

5 \* \* \*

6 CHARLIE D. JACKSON,

Case No. 3:20-cv-00705-MMD-CLB

7 Plaintiff,

ORDER

8 v.

9 CHARLES DANIELS,

10 Defendant.

11 Plaintiff Charlie D. Jackson, who is incarcerated in the custody of the Nevada  
12 Department of Corrections, submitted a civil rights complaint pursuant to 42 U.S.C. §  
13 1983, and filed an application to proceed *in forma pauperis*. (ECF No. 1.) In a prior order,  
14 the Court directed Jackson to show cause why the Court should not dismiss the action  
15 for failure to voluntarily dismiss the case pursuant to a global settlement of claims<sup>1</sup> and  
16 failure to return an *in forma pauperis* application or affidavit prior to March 31, 2021. (ECF  
17 No. 9.) The Court explicitly stated that, “if Jackson does not respond to this Order by April  
18 23, 2021, the Court will dismiss this action without prejudice.” (*Id.*) April 23, 2021 has  
19 passed, but Jackson has not responded.

20 “Pursuant to Federal Rule of Civil Procedure 41(b), the district court may dismiss  
21 an action for failure to comply with any order of the court.” *Ferdik v. Bonzelet*, 963 F.2d  
22 1258, 1260 (9th Cir. 1992); *see also id.* at 1260-63 (affirming dismissal for failure to  
23 comply with an order requiring amendment of complaint). As a function of that power in  
24 this case, the Court will dismiss this action without prejudice because Jackson has not  
25 responded within the time provided by the Court.

26 ///

27 \_\_\_\_\_  
28 <sup>1</sup>Jackson agreed to file a voluntary dismissal in this case (ECF No. 7) pursuant to  
a global settlement of claims in *Jackson v. Garrett, et. al.*, Case No. 3:20-cv-00511-MMD-  
WGC (ECF No. 23).

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

It is therefore ordered that Jackson's action is dismissed without prejudice.  
The Clerk of Court is directed to enter judgment accordingly and close the case.  
DATED THIS 28<sup>th</sup> Day of April 2021.

  
\_\_\_\_\_  
MIRANDA M. DU  
CHIEF UNITED STATES DISTRICT JUDGE