

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

NAUTILUS INSURANCE COMPANY,

Plaintiff,

v.

No. CIV-11-0178 MV/LAM

OTERO COUNTY HOSPITAL ASSOCIATION, et al.,

Defendants.

ORDER TO SHOW CAUSE

THIS MATTER is before the Court upon the Court's *Order For Parties to File a Status Report* (Doc. 45), filed December 1, 2016, in which the Court ordered the parties to jointly file a status report on or before December 15, 2016 advising of the status of this case. The parties have not filed a status report and the time for doing so has passed. The parties' failure to respond to the Court's order indicates a lack of interest in litigating this case, which may subject the case to dismissal for lack of prosecution. See *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962) ("The authority of a court to dismiss sua sponte for lack of prosecution has generally been considered an 'inherent power,' governed not by rule or statute but by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases.") (footnote and citations omitted); *Oleson v. Mapes*, 333 F.3d 1199, 1204, n.3 (10th Cir. 2003) (same); and *Martinez v. Internal Revenue Service*, 744 F.2d 71, 73 (10th Cir. 1984) ("Courts have the inherent power to impose a variety of sanctions on both litigants and attorneys in order to regulate their docket, promote judicial efficiency, and deter frivolous

filings.”) (citations omitted). Therefore, the Court will require the parties to show cause why this case should not be dismissed.

IT IS THEREFORE ORDERED THAT, no later than Thursday, March 30, 2017, the parties shall either file with the Court a joint status report advising of the status of this case, or file with the Court a response to this Order showing cause why this case should not be dismissed. *The parties are hereby notified that failure to respond to this Order may result in dismissal of this case without prejudice and without further notice.*

IT IS SO ORDERED.



LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE