

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Huntington v. Sacramento County

No. 2:24-cv-0690-JDP (P), United States District Court for the Eastern District of California (February 28,
2025)

SUMMARY

The court orders plaintiff Michael Huntington to show cause why his action against Sacramento County should not be dismissed. The order states that plaintiff failed to respond after being given thirty days to file an amended complaint or notice of voluntary dismissal, and warns that failure to respond within twenty-one days will result in a recommendation of dismissal for failure to prosecute, failure to comply with court orders, and failure to state a claim.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 MICHAEL HUNTINGTON, Case No. 2:24-cv-0690-JDP (P) 12 Plaintiff,
13 v. ORDER TO SHOW CAUSE 14 SACRAMENTO COUNTY, 15 Defendant. 16 17 On
January 14, 2025, I screened plaintiff's complaint and notified him that it did not state 18 a claim.
ECF No. 12. I ordered him to file, within thirty days, an amended complaint or a notice 19 of
voluntary dismissal.

Id. To date, plaintiff has not filed any response. 20 The court has the inherent power to control its
docket and may, in the exercise of that 21 power, impose sanctions where appropriate, including
dismissal. *Bautista v. Los Angeles Cnty.*, 22 216 F.3d 837, 841 (9th Cir. 2000); see Local Rule 110
("Failure of counsel or of a party to 23 comply with these Rules or with any order of the Court
may be grounds for imposition by the 24 Court of any and all sanctions... within the inherent
power of the Court.").

A court may dismiss 25 an action based on a party's failure to prosecute an action, failure to obey
a court order, or failure 26 to comply with local rules. See *Henderson v. Duncan*, 779 F.2d 1421,
1424 (9th Cir. 1986) 27 (dismissal for lack of prosecution and failure to comply with local rules).
28 I will give plaintiff a chance to explain why the court should not dismiss the case for his 1 |
failure to file an amended complaint or advisement of his intent to not file an amended complaint.

2 | Plaintiff's failure to respond to this order will constitute a failure to comply with a court order
and 3 | will result in a recommendation that this action be dismissed. Accordingly, plaintiff is
ordered to 4 | show cause within twenty-one days why this case should not be dismissed for failure
to 5 | prosecute, failure to comply with court orders, and failure to state a claim.

Should plaintiff wish 6 | to continue with this lawsuit, he shall file, within twenty-one days, an amended complaint. 7 g IT IS SO ORDERED. Dated: _ February 27, 2025 qe 10 JEREMY D. PETERSON i UNITED STATES MAGISTRATE JUDGE 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

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