

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Miguel Enrique Diaz v. M. Osman, et al.

Miguel Enrique Diaz v. M. Osman, et al. · No. 2:23-cv-1449-DAD-JDP (P) · Decided November 13, 2025

SUMMARY

The United States District Court for the Eastern District of California orders plaintiff Miguel Enrique Diaz to show cause within fourteen days why the action should not be dismissed for failure to prosecute and failure to comply with court orders. The court also directs plaintiff to file an amended complaint within that period and warns that failure to respond will result in a recommendation of dismissal.

OPINION

Osman

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 MIGUEL ENRIQUE DIAZ, Case No. 2:23-cv-1449-DAD-JDP (P) 12 Plaintiff,

13 v. ORDER TO SHOW CAUSE

14 M. OSMAN, et al., 15 Defendants. 16 On June 17, 2025, I granted plaintiff thirty days to file
an amended complaint. ECF No. 17

44. I also notified plaintiff that I would not grant any further extensions absent extraordinary
18 circumstances. To date, plaintiff has not complied with that order. 19 The court has the inherent
power to control its docket and may, in the exercise of that 20 power, impose sanctions where
appropriate, including dismissal. *Bautista v. Los Angeles Cnty.*, 21 216 F.3d 837, 841 (9th Cir.
2000); see Local Rule 110 (“Failure of counsel or of a party to 22 comply with these Rules or with
any order of the Court may be grounds for imposition by the 23 Court of any and all sanctions . . .
within the inherent power of the Court.”). A court may dismiss 24 an action based on a party’s
failure to prosecute an action, failure to obey a court order, or failure 25 to comply with local
rules. See *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986) 26 (dismissal for lack of
prosecution and failure to comply with local rules). 27 I will give plaintiff a chance to explain why
the court should not dismiss the case for his 28 1 | failure to file an amended complaint. Plaintiffs
failure to respond to this order will constitute 2 | another failure to comply with a court order and
will result in a recommendation that this action 3 | be dismissed. Accordingly, plaintiff is ordered
to show cause within fourteen days why this case 4 | should not be dismissed for failure to

prosecute and failure to comply with court orders. Should 5 | plaintiff wish to continue with this lawsuit, he shall file, within fourteen days, an amended 6 | complaint. 7 g IT IS SO ORDERED.

Dated: _ November 13, 2025 Q_—_—.

10 JEREMY D. PETERSON

i UNITED STATES MAGISTRATE JUDGE

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