

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Diaz v. Samaloston

Diaz · No. 2:24-cv-2915-JDP (P) · Decided June 11, 2025

OPINION

(HC) Diaz v. Samaloston

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 JUAN RAMON DIAZ, Case No. 2:24-cv-2915-JDP (P) 12 Petitioner, 13 v. ORDER

14 S. SAMALOSTON,

15 Respondent. 16

17 On May 2, 2025, respondent filed a motion to dismiss. ECF No. 4. To date, petitioner 18 has not filed an opposition or statement of non-opposition. 19 To manage its docket effectively, the court imposes deadlines and requires litigants to 20 meet those deadlines. The court may dismiss a case for petitioner's failure to prosecute or failure 21 to comply with its orders or local rules. See Fed. R. Civ. P. 41; Hells Canyon Pres. Council v. 22 U.S. Forest Serv., 403 F.3d 683, 689 (9th Cir. 2005) ("[T]he consensus among our sister circuits, 23 with which we agree, is that courts may dismiss under Rule 41(b) sua sponte, at least under 24 certain circumstances."). Involuntary dismissal is a harsh penalty, but the court has a duty to 25 administer justice expeditiously and avoid needless burden for the parties. See Pagtalunan v. 26 Galaza, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1. 27 Petitioner will be given an opportunity to explain why the court should not dismiss his 28 case for failure to file an opposition or statement of non-opposition to respondent's motion to 1 | dismiss. Petitioner's failure to respond to this order will constitute a failure to comply with a 2 | court order and will result in dismissal of this case. Accordingly, petitioner must show cause 3 | within twenty-one days of the date of entry of this order why the court should not dismiss his case 4 | for failure to prosecute. Should petitioner wish to continue with this lawsuit, he shall also file, 5 | within twenty-one days, an opposition or statement of non-opposition. 6 7 IT IS SO ORDERED. Dated: _ June 11, 2025 q——

9 JEREMY D. PETERSON

10 UNITED STATES MAGISTRATE JUDGE

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