

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Meghan Cole v. Shanndah Burkholder

Cole v. Burkholder · No. 2:24-cv-0792-DC-JDP (PS) · Decided November 19, 2025

SUMMARY

The United States District Court for the Eastern District of California orders plaintiff Meghan Cole to show cause why her case should not be dismissed. The order states that plaintiff apparently failed to submit service documents to the U.S. Marshal as previously directed and warns that failure to respond within fourteen days will result in a recommendation of dismissal for failure to prosecute and failure to comply with court orders.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jeremy D. Peterson
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	November 19, 2025
DOCKET	2:24-cv-0792-DC-JDP (PS)
DISPOSITION	other
PROCEDURAL POSTURE	Order to show cause issued in a civil action after plaintiff apparently failed to submit service-of-process documents to the United States Marshal as previously ordered.
PRECEDENTIAL VALUE	nonprecedential district court order

TOPICS

- sanctions
- service of process
- civil procedure

PRACTICE AREAS

- civil procedure
- copyright

QUESTIONS PRESENTED

- Whether the court should require plaintiff to show cause why the action should not be dismissed for failure to prosecute and failure to comply with a court order.

2. Whether the court possesses inherent authority to impose sanctions, including dismissal, for failure to prosecute or obey court orders.

HOLDINGS

1. The court may exercise its inherent power to control its docket and impose appropriate sanctions, including dismissal, when a party fails to prosecute an action, obey a court order, or comply with applicable local rules.
2. Plaintiff must show cause within fourteen days why the action should not be dismissed for failure to prosecute and failure to comply with court orders.

KEY QUOTATIONS

“A court may dismiss an action based on a party’s failure to prosecute an action, failure to obey a court order, or failure to comply with local rules.” (at 1)

“Accordingly, plaintiff is ordered to show cause within fourteen days why this case should not be dismissed for failure to prosecute and failure to comply with court orders.” (at 1)

FACTUAL BACKGROUND

The court had granted Meghan Cole in forma pauperis status and directed her to provide service documents to the United States Marshal within sixty days. The docket showed no indication that Cole had submitted the required documents or filed the required declaration.

PROCEDURAL HISTORY

On February 28, 2025, the court granted plaintiff leave to proceed in forma pauperis and ordered her to submit documents for service of process to the United States Marshal within sixty days, along with a declaration stating when she submitted them. The docket contained no indication that plaintiff complied, so the court ordered plaintiff to show cause within fourteen days why the action should not be dismissed for failure to prosecute and failure to comply with court orders.

DISPOSITION

other

CASES CITED

- *Bautista v. Los Angeles County*, 216 F.3d 837, 841 (9th Cir. 2000)
- *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986)