

**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

OPINION

(PS)Cole

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 MEGHAN COLE, Case No. 2:24-cv-0792-DC-JDP (PS) 12 Plaintiff,

13 v. ORDER TO SHOW CAUSE

14 SHANNDAH BURKHOLDER,

15 Defendant. 16

17 On February 28, 2025, the court granted plaintiff’s application to proceed in forma 18 pauperis and ordered her to submit documents for service of process to the United States Marshal 19 within sixty days. ECF No. 4. The court also ordered plaintiff to file declaration stating the date 20 on which she submitted the required documents to the U.S. Marshal. Id. Despite the February 28 21 order, there is no indication from the docket that plaintiff submitted documents for service to the 22 U.S. Marshal. 23 The court has the inherent power to control its docket and may, in the exercise of that 24 power, impose sanctions where appropriate, including dismissal. *Bautista v. Los Angeles Cnty.*, 25 216 F.3d 837, 841 (9th Cir. 2000); see Local Rule 110 (“Failure of counsel or of a party to 26 comply with these Rules or with any order of the Court may be grounds for imposition by the 27 Court of any and all sanctions . . . within the inherent power of the Court.”). A court may dismiss 28 an action based on a party’s failure to prosecute an action, failure to obey a court order, or failure 1 | to comply with local rules. See *Henderson vy. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986) 2 | (dismissal for lack of prosecution and failure to comply with local rules). 3 I will give plaintiff a chance to explain why the court should not dismiss the case for 4 | failure to comply with the February 28, 2025 order. Plaintiffs failure to respond to this order will 5 | constitute another failure to comply with a court order and will result in a recommendation that 6 | this action be dismissed. Accordingly, plaintiff is ordered to show cause within fourteen days 7 | why this case should not be dismissed for failure to prosecute and failure to comply with court 8 | orders. ? | IT IS SO ORDERED.

JEREMY D. PETERSON

12 UNITED STATES MAGISTRATE JUDGE
13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/united-states-district-court-for-the-eastern-district-of-california-united-states-district-court-for/2025/meghan-cole-v-shanndah-burkholder-f0y15f4w>