

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Gallegos v. Ebert

Gallegos · No. 2:24-cv-1676-DJC-JDP (P) · Decided July 7, 2025

SUMMARY

The United States District Court for the Eastern District of California issued an order to show cause in Gallegos v. Ebert. The court directed the plaintiff to explain within twenty-one days why the action should not be dismissed for failure to prosecute and failure to oppose or state non-opposition to the defendant's motion to dismiss.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 BENJAMIN ROBERT GALLEGOS, Case No. 2:24-cv-1676-DJC-JDP (P)
12 Plaintiff, 13 v. ORDER TO SHOW CAUSE 14 B. EBERT, 15 Defendant. 16 17 On May 28,
2025, defendant filed a motion to dismiss. ECF No. 27.

To date, plaintiff has 18 not filed a response. 19 To manage its docket effectively, the court
requires litigants to meet certain deadlines. 20 The court may impose sanctions, including
dismissing a case, for failure to comply with its orders 21 or local rules. See Fed. R. Civ. P. 41(b);
E.D. Cal. L.R. 110; Hells Canyon Pres. Council v. U.S. 22 Forest Serv., 403 F.3d 683, 689 (9th
Cir.

2005); Carey v. King, 856 F.2d 1439, 1440-41 (9th Cir. 23 1988). Involuntary dismissal is a harsh
penalty, but a district court has a duty to administer 24 justice expeditiously and avoid needless
burden for the parties. See Pagtalunan v. Galaza, 291 25 F.3d 639, 642 (9th Cir. 2002); Fed. R.
Civ. P. 1. 26 I will give plaintiff a chance to explain why the court should not dismiss the case for
his 27 failure to file an opposition or statement of non-opposition to defendant's motion.

Plaintiff's 28 failure to respond to this order will constitute a failure to comply with a court order
and will result 1 | in arecommendation that this action be dismissed. Accordingly, plaintiff is
ordered to show 2 | cause within twenty-one days why this case should not be dismissed for failure
to prosecute and 3 | failure to comply with local rules. Should plaintiff wish to continue with this
lawsuit, he shall 4 | file, within twenty-one days, an opposition or statement of non-opposition to
defendant's motion.

5 6 IT IS SO ORDERED. Dated: _ July 7, 2025 q—— 8 JEREMY D. PETERSON 9 UNITED
STATES MAGISTRATE JUDGE 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

