

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Michael Laurence Hoke v. M. Nunez, et al.

Hoke v. Nunez · No. 2:25-cv-0275-JDP (P) · Decided May 29, 2025

OPINION

(PC) Hoke v. Nunez

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 MICHAEL LAURENCE HOKE, Case No. 2:25-cv-0275-JDP (P) 12 Plaintiff,

13 v. ORDER TO SHOW CAUSE

14 M. NUNEZ, et al., 15 Defendants. 16 17 On April 16, 2025, I screened plaintiff's complaint
and notified him that it did not state a 18 claim. ECF No. 5. I ordered him to file, within thirty
days, either an amended complaint or a 19 voluntary notice of dismissal. Id. To date, plaintiff has
not filed any response. 20 The court has the inherent power to control its docket and may, in the
exercise of that 21 power, impose sanctions where appropriate, including dismissal. *Bautista v.*
Los Angeles Cnty., 22 216 F.3d 837, 841 (9th Cir. 2000); see Local Rule 110 ("Failure of counsel
or of a party to 23 comply with these Rules or with any order of the Court may be grounds for
imposition by the 24 Court of any and all sanctions . . . within the inherent power of the Court.").

A court may dismiss 25 an action based on a party's failure to prosecute an action, failure to obey
a court order, or failure 26 to comply with local rules. See *Henderson v. Duncan*, 779 F.2d 1421,
1424 (9th Cir. 1986) 27 (dismissal for lack of prosecution and failure to comply with local rules).
28 I will give plaintiff a chance to explain why the court should not dismiss the case for his 1 |
failure to file an amended complaint. Plaintiffs failure to respond to this order will constitute a 2 |
failure to comply with a court order and will result in a recommendation that this action be 3 |
dismissed. Accordingly, plaintiff is ordered to show cause within twenty-one days why this case 4 |
| should not be dismissed for failure to prosecute, failure to comply with court orders, and failure
to 5 | state a claim. Should plaintiff wish to continue with this lawsuit, he shall file, within twenty-
one 6 | days, an amended complaint. 7 g IT IS SO ORDERED. Dated: _ May 29, 2025 q——

10 JEREMY D. PETERSON

i UNITED STATES MAGISTRATE JUDGE

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