

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

William James Gradford, Jr. v. A. Perez, et al.

Gradford v. Perez · No. 2:24-cv-2012-TLN-JDP (PS) · Decided June 20, 2025

SUMMARY

The court orders plaintiff William James Gradford Jr. to show cause why the action should not be dismissed for failure to prosecute, failure to comply with court orders, and failure to state a claim. The order gives plaintiff fourteen days to respond or file an amended complaint and warns that failure to respond will result in a recommendation of dismissal.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 WILLIAM JAMES GRADFORD, Jr., Case No. 2:24-cv-2012-TLN-JDP
(PS) 12 Plaintiff, 13 v. ORDER TO SHOW CAUSE 14 A. PEREZ, et al., 15 Defendants. 16 17
On May 1, 2025, I screened plaintiff's complaint and dismissed it for failure to state a 18 claim.
ECF No. 12. I ordered plaintiff to file, within thirty days, either an amended complaint or 19 a
notice of voluntary dismissal of this action.

Id. To date, plaintiff has not complied with that 20 order. 21 The court has the inherent power to
control its docket and may, in the exercise of that 22 power, impose sanctions where appropriate,
including dismissal. *Bautista v. Los Angeles Cnty.*, 23 216 F.3d 837, 841 (9th Cir. 2000); see
Local Rule 110 ("Failure of counsel or of a party to 24 comply with these Rules or with any order
of the Court may be grounds for imposition by the 25 Court of any and all sanctions... within the
inherent power of the Court.").

A court may dismiss 26 an action based on a party's failure to prosecute an action, failure to obey
a court order, or failure 27 to comply with local rules. See *Henderson v. Duncan*, 779 F.2d 1421,
1424 (9th Cir. 1986) 28 (dismissal for lack of prosecution and failure to comply with local rules).
1 I will give plaintiff a chance to explain why the court should not dismiss the case for his 2 ||
failure to file an amended complaint.

Plaintiffs failure to respond to this order will constitute 3 || another failure to comply with a court
order and will result in a recommendation that this action 4 | be dismissed. Accordingly, plaintiff is
ordered to show cause within fourteen days why this case 5 || should not be dismissed for failure
to prosecute, failure to comply with court orders, and failure to 6 || state a claim.

Should plaintiff wish to continue with this lawsuit, he shall file, within fourteen 7 || days, an amended complaint. 8 9 IT IS SO ORDERED. 10 (1 Ow — Dated: _ June 18, 2025 q—— 11 JEREMY D. PETERSON Db UNITED STATES MAGISTRATE JUDGE 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28