UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

GILBERTO DIAZ-SANCHEZ, Petitioner, v. MICHAEL F. MARTEL and JEFFREY BEARD, Respondent.	Case No. 1:14-cv-01204-SMS HC ORDER TO SHOW CAUSE WHY THIS CASE SHOULD NOT BE DISMISSED FOR FAILURE TO COMPLY WITH COURT ORDER Doc. 6 RESPONSE DUE IN FIFTEEN DAYS

Petitioner Gilberto Diaz-Sanchez is a state prisoner proceeding with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On August 27, 2014, this Court granted Petitioner's motion for stay and abeyance, directing Petitioner to file a status report within thirty (30) days of the order and to file status reports every ninety (90) days thereafter. Although more than thirty (30) days have elapsed since the order's issuance, Petitioner has failed to submit the first required status report.

The Court has discretion to impose any and all sanctions authorized by statute or Rule or within the inherent power of the Court, including dismissal of an action, based on Plaintiff's failure to comply with a court order. Fed. R. Civ. P. 11; Local Rule 110.

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Accordingly, the Court HEREBY ORDERS that:

1. Within **fifteen (15) days** from the date of service of this order, Petitioner shall file a written response to the Court, showing cause why this case should not be dismissed for Plaintiff's failure to obey the Court's order filed August 27, 2014. Submission of the required status report shall be deemed compliance with this requirement.
2. The Clerk of Court shall mail a copy of this order to Plaintiff's address, along with a copy of the Court's August 27, 2014 order (Doc. 6).
3. Plaintiff's failure to comply with this order will result in the dismissal of this action without further notice.

IT IS SO ORDERED.

Dated: **October 8, 2014**

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE