

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Sanchez v. Johnson

Sanchez · No. 2:24-cv-2737-JDP (P) · Decided March 18, 2025

SUMMARY

The court recommends dismissal without prejudice of Mario Sanchez’s action for failure to prosecute, failure to comply with court orders, and failure to state a claim. The recommendation follows plaintiff’s failure to file an amended complaint or respond to an order to show cause despite prior warnings, and it directs the clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jeremy D. Peterson
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	March 18, 2025
DOCKET	2:24-cv-2737-JDP (P)
DISPOSITION	other
PROCEDURAL POSTURE	Findings and recommendations by a magistrate judge recommending dismissal without prejudice of a pro se prisoner civil-rights action.
STANDARD OF REVIEW	Dismissal for failure to prosecute or failure to comply with court orders is evaluated under the court's inherent docket-control authority and the five Ferdik factors: the public interest in expeditious resolution, the court's need to manage its docket, prejudice to defendants, the public policy favoring decisions on the merits, and the availability of less drastic alternatives.
PRECEDENTIAL VALUE	Nonprecedential findings and recommendations; no reporter citation or precedential designation appears in the source.

TOPICS

- sanctions
- civil procedure
- pleadings

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the action should be dismissed without prejudice for plaintiff's failure to prosecute and failure to comply with orders requiring an amended complaint and a response to the order to show cause.
2. Whether the balance of the required dismissal factors supports dismissal after plaintiff received an express warning and failed to comply.

HOLDINGS

1. A court may dismiss an action when a party fails to prosecute, obey a court order, or comply with applicable local rules, and the balance of the applicable factors supported dismissal without prejudice here.

KEY QUOTATIONS

"The court has the inherent power to control its docket and may, in the exercise of that power, impose sanctions where appropriate, including dismissal." (at 1)

"Accordingly, I find that the balance of factors weighs in favor of dismissal." (at 2)

FACTUAL BACKGROUND

The court determined that Mario Sanchez's complaint did not state a claim and ordered him to file an amended complaint within thirty days. Although the court granted his request for an additional thirty days, Sanchez did not file an amended complaint or otherwise respond. After the court issued an order to show cause warning that noncompliance would result in a recommendation of dismissal, Sanchez again failed to respond.

PROCEDURAL HISTORY

The court screened plaintiff's complaint and found that it failed to state a claim, then ordered him to file an amended complaint. After granting an extension, the court issued an order to show cause when plaintiff failed to amend or otherwise respond. Plaintiff again failed to respond, and the magistrate judge recommended dismissal without prejudice for failure to prosecute, failure to comply with court orders, and failure to state a claim, subject to objections and review by an assigned district judge.

DISPOSITION

other

CASES CITED

- *Bautista v. Los Angeles County*, 216 F.3d 837, 841 (9th Cir. 2000)
- *Ghazali v. Moran*, 46 F.3d 52, 53-54 (9th Cir. 1995)
- *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260-62 (9th Cir. 1992)

- Carey v. King, 856 F.2d 1439, 1440-41 (9th Cir. 1988)
- Malone v. United States Postal Service, 833 F.2d 128, 130, 132-33 (9th Cir. 1987)
- Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986)
- Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998)
- Martinez v. Yist, 951 F.2d 1153 (9th Cir. 1991)

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