

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Karla Jenett Moore v. Jefferson Hunt Elementary School City of San
Bernardino

No. EDCV 25-2399 JGB (DTBx), United States District Court for the Central District of California (December 18, 2025)

SUMMARY

The United States District Court for the Central District of California dismissed Karla Jenett Moore’s action without prejudice after she failed to file an amended complaint by the court-ordered deadline. The court found failure to comply with its order and failure to prosecute under Federal Rule of Civil Procedure 41(b), and directed the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Jesus G. Bernal
JURISDICTION	United States District Court for the Central District of California
DECIDED	December 18, 2025
DOCKET	EDCV 25-2399 JGB (DTBx)
DISPOSITION	dismissed
PROCEDURAL POSTURE	The court had previously dismissed Plaintiff's complaint for failure to state a claim, granted leave to amend by a specified deadline, and warned that failure to amend would result in dismissal without prejudice. After Plaintiff failed to file an amended complaint, the court sua sponte dismissed the action under Federal Rule of Civil Procedure 41(b) and directed the Clerk to close the case.
STANDARD OF REVIEW	Under Federal Rule of Civil Procedure 41(b), a court may sua sponte dismiss an action for failure to prosecute or failure to comply with a court order. In deciding whether dismissal is appropriate, the court considers the five factors identified in Ghazali and Pagtalunan, although it need not explicitly weigh each factor.
PRECEDENTIAL VALUE	unknown

TOPICS

civil procedure

pleadings

PRACTICE AREAS

civil procedure

civil rights

QUESTIONS PRESENTED

1. Whether the court should sua sponte dismiss the action under Federal Rule of Civil Procedure 41(b) because Plaintiff failed to comply with the deadline for filing an amended complaint and failed to prosecute the case with reasonable diligence.

HOLDINGS

1. Dismissal without prejudice was appropriate because Plaintiff failed to comply with the court's order requiring an amended complaint by a specified deadline and failed to prosecute the action with reasonable diligence.

KEY QUOTATIONS

“A plaintiff must prosecute his case with “reasonable diligence” to avoid dismissal pursuant to Rule 41(b).”

“Unreasonable delay is the foundation upon which a court may presume prejudice.”

FACTUAL BACKGROUND

Plaintiff filed a complaint against Jefferson Hunt Elementary School City of San Bernardino. After the court dismissed the complaint for failure to state a claim, it permitted Plaintiff to file an amended complaint by November 17, 2025, and warned that failure to do so would result in dismissal without prejudice. Plaintiff did not file an amended complaint or otherwise explain the delay.

PROCEDURAL HISTORY

Plaintiff filed a complaint and a request to proceed in forma pauperis on September 7, 2025. The court denied the in forma pauperis request and dismissed the complaint on October 15, 2025, while allowing Plaintiff until November 17, 2025, to amend. Plaintiff did not file an amended complaint, so the court dismissed the action without prejudice for failure to comply with the court's order and failure to prosecute.

DISPOSITION

dismissed

CASES CITED

- Wolff v. California, 318 F.R.D. 627, 630 (C.D. Cal. 2016)
- Pagtalunan v. Galaza, 291 F.3d 639, 640–43 (9th Cir. 2002)
- Anderson v. Air W., Inc., 542 F.2d 522, 524 (9th Cir. 1976)

- Ghazali v. Moran, 46 F.3d 52, 53–54 (9th Cir. 1995)
- Sw. Marine Inc. v. Danzig, 217 F.3d 1128, 1138 (9th Cir. 2000)

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