

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Landgren v. Commissioner of Social Security

Landgren · No. 1:23-cv-01347-CDB · Decided June 17, 2025

SUMMARY

The United States District Court for the Eastern District of California dismissed Andrew Landgren’s Social Security action without prejudice for failure to prosecute and failure to comply with court orders. The court found that Plaintiff failed to file an opening brief and failed to respond to an order to show cause, and directed the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 17, 2025
DOCKET	1:23-cv-01347-CDB
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se plaintiff sought judicial review of the Commissioner's final decision denying disability insurance benefits. After the administrative record was filed, plaintiff failed to file the required motion for summary judgment and failed to respond to an order to show cause. The district court dismissed the action without prejudice for failure to prosecute and failure to obey court orders.
STANDARD OF REVIEW	A district court may dismiss an action sua sponte under Federal Rule of Civil Procedure 41(b) for failure to prosecute, failure to obey a court order, or failure to comply with local rules, after weighing the relevant dismissal factors and considering less drastic sanctions.
PRECEDENTIAL VALUE	Unknown; district court order with no reporter citation.
PARTIES	Andrew Landgren v. Commissioner of Social Security

TOPICS

- sanctions
- civil procedure
- summary judgment
- judicial review of agency action

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the action should be dismissed without prejudice under Federal Rule of Civil Procedure 41(b) and Local Rule 110 because plaintiff failed to prosecute the action and obey the court's orders.
2. Whether the relevant dismissal factors and the availability of less drastic sanctions supported dismissal.

HOLDINGS

1. A district court may dismiss an action without prejudice under Federal Rule of Civil Procedure 41(b) and its inherent docket-management authority when a plaintiff fails to prosecute, fails to comply with a court order, and has been adequately warned that noncompliance may result in dismissal.
2. The dismissal factors supported dismissal without prejudice because plaintiff's prolonged failure to file the required dispositive brief or respond to the show cause order impeded case progress, burdened docket management, created a presumption of prejudice, and was not overcome by the policy favoring adjudication on the merits.

KEY QUOTATIONS

“In determining whether to dismiss an action for lack of prosecution, the district court is required to weigh several factors: (1) the public’s interest in expeditious resolution of litigation; (2) the court’s need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of cases on their merits; and (5) the availability of less drastic sanctions.” (at 2)

“Accordingly, it is HEREBY ORDERED: 1. This action is DISMISSED without prejudice for Plaintiff’s failure to prosecute the action and to comply with the Court’s order.” (at 4)

FACTUAL BACKGROUND

Andrew Landgren, proceeding pro se and in forma pauperis, sought review of a final decision denying his application for disability insurance benefits. After the Commissioner lodged the administrative record, Landgren failed to file the required motion for summary judgment within the applicable deadline. He also failed to respond to a re-served order to show cause warning that noncompliance could result in dismissal.

PROCEDURAL HISTORY

The Commissioner lodged the administrative record on December 4, 2023. Plaintiff's opening brief or motion for summary judgment was due within 30 days, but plaintiff did not file it. The court issued and re-served an order to show cause, which plaintiff did not answer; the court then dismissed the action without prejudice and directed the Clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- *Bautista v. Los Angeles County*, 216 F.3d 837, 841 (9th Cir. 2000)
- *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260-62 (9th Cir. 1992)
- *Malone v. U.S. Postal Service*, 833 F.2d 128, 130-31 (9th Cir. 1987)
- *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986)
- *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988)
- *In re Phenylpropanolamine (PPA) Products Liability Litigation*, 460 F.3d 1217, 1226, 1228 (9th Cir. 2006)
- *Anderson v. Air W.*, 542 F.2d 522, 524 (9th Cir. 1976)
- *Pagtalunan v. Galaza*, 291 F.3d 639, 643 (9th Cir. 2002)
- *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005)

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