

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Jana Williams v. Kristi Culver Kapetan, et al.

Williams v. Kapetan · No. 1:25-cv-01387-JLT-SKO · Decided January 6, 2026

SUMMARY

The document is a magistrate judge’s Findings and Recommendation in Jana Williams’s action against Kristi Culver Kapetan and others. It recommends dismissal because Plaintiff failed to comply with the Court’s screening order and order to show cause, and failed to prosecute the case. The recommendation was issued for review by the assigned district judge, with twenty-one days allowed for objections.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sheila K. Oberto
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	January 6, 2026
DOCKET	1:25-cv-01387-JLT-SKO
DISPOSITION	other
PROCEDURAL POSTURE	Findings and recommendation by a magistrate judge that the action be dismissed for failure to obey court orders and failure to prosecute.
STANDARD OF REVIEW	A district court may dismiss an action as a sanction for failure to prosecute, failure to obey court orders, or failure to comply with local rules, under its inherent docket-control authority and applicable local rules.
PRECEDENTIAL VALUE	Unknown; findings and recommendation by a federal magistrate judge, subject to district-judge review.
PARTIES	Jana Williams v. Kristi Culver Kapetan, et al.

TOPICS

- sanctions
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the action should be dismissed because Plaintiff failed to comply with the court's screening order.
2. Whether the action should be dismissed for failure to prosecute.

HOLDINGS

1. A court may dismiss an action when a party fails to comply with court orders or fails to prosecute, and Plaintiff's failure to comply with both the screening order and the order to show cause warranted dismissal of the action.

KEY QUOTATIONS

“Based on Plaintiff’s failure to comply with, or otherwise respond to, the screening order and the OSC, there is no alternative but to dismiss the action for her failure to obey court orders and failure to prosecute.” (at 2)

FACTUAL BACKGROUND

Jana Williams filed this action pro se and in forma pauperis. After screening, the court determined that her complaint failed to state any cognizable claims and ordered her to amend, stand on the complaint, or voluntarily dismiss within thirty days. Williams did none of those things, did not request an extension, and failed to respond to a subsequent order to show cause warning that noncompliance could result in dismissal.

PROCEDURAL HISTORY

Plaintiff filed the action on October 17, 2025, proceeding pro se and in forma pauperis. The court screened the complaint and found that it failed to state any cognizable claims, then gave Plaintiff thirty days to amend, stand on the complaint, or voluntarily dismiss. After Plaintiff took none of those actions, the court issued an order to show cause, to which Plaintiff also failed to respond. The magistrate judge recommended dismissal, subject to review by the assigned district judge and the parties' opportunity to object.

DISPOSITION

other

CASES CITED

- Thompson v. Housing Authority of L.A., 782 F.2d 829, 831 (9th Cir. 1986)
- Ferdik v. Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992)
- Malone v. U.S. Postal Service, 833 F.2d 128, 130 (9th Cir. 1987)
- Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986)
- Wilkerson v. Wheeler, 772 F.3d 834, 839 (9th Cir. 2014)
- Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)

OPINION

1 2 3 4 5 6 UNITED STATES DISTRICT COURT 7 EASTERN DISTRICT OF CALIFORNIA 8
9 JANA WILLIAMS, Case No. 1:25-cv-01387-JLT-SKO 10 FINDINGS AND
RECOMMENDATION Plaintiff, TO DISMISS FOR FAILURE TO 11 v. COMPLY WITH THE
COURT’S ORDERS AND FAILURE TO PROSECUTE 12 (Docs. 6, 7) 13 KRISTI CULVER
KAPETAN, et al., 14 15 Defendants. 16 _____/ 17
Plaintiff Jana Williams is proceeding pro se and in forma pauperis in this action filed on 18
October 17, 2025.

(Docs. 1, 5). 19 On October 31, 2025, the Court issued a screening order finding that Plaintiff’s
complaint 20 failed to state any cognizable claims and gave Plaintiff three options as to how to
proceed. (Doc. 21 7). Within thirty (30) days, Plaintiff was to either (1) file an amended complaint,
(2) notify the 22 Court that she wished to stand on her complaint, or (3) file a notice of voluntary
dismissal.

(Id. at 23 1, 2, 9). That screening order was served on Plaintiff by mail that same day. (See
Docket.) To 24 date, Plaintiff has not filed an amended complaint, notified the Court of her
intention to stand on 25 her complaint, filed a notice of voluntary dismissal, or requested an
extension of time to take any 26 of these actions. 27 On December 8, 2025, an order issued for
Plaintiff to show cause (“OSC”) within twenty- 28 one days why the action should not be
dismissed for her failure to comply with the Court’s 1 screening order and for failure to prosecute
this case.

(Doc. 7). Plaintiff was warned in the OSC 2 that failure to comply with the Court’s order would
result in a recommendation to the presiding 3 district judge of the dismissal of this action. (Id. at
2). Plaintiff has not yet filed any response, 4 and the time to do so has passed. 5 The Local Rules
of the United States District Court for the Eastern District of California, 6 corresponding with Rule
11 of the Federal Rules of Civil Procedure, provide, “[f]ailure of counsel 7 or of a party to comply
with... any order of the Court may be grounds for the imposition by the 8 Court of any and all
sanctions... within the inherent power of the Court.” E.D.

Cal. L.R. 110. 9 “District courts have inherent power to control their dockets,” and in exercising
that power, a court 10 may impose sanctions, including dismissal of an action. *Thompson v.*
Housing Authority of L.A., 11 782 F.2d 829, 831 (9th Cir. 1986). A court may dismiss an action
based on a party’s failure to 12 prosecute an action, to obey a court order, or to comply with local
rules.

See, e.g., *Ferdik v. 13 Bonzelet*, 963 F.2d 1258, 1260–61 (9th Cir. 1992) (dismissal for failure to
comply with an order 14 requiring amendment of complaint); *Malone v. U.S. Postal Service*, 833
F.2d 128, 130 (9th Cir. 15 1987) (dismissal for failure to comply with a court order); *Henderson v.*

Duncan, 779 F.2d 1421, 16 1424 (9th Cir. 1986) (dismissal for failure to prosecute and to comply with local rules).

17 Based on Plaintiff's failure to comply with, or otherwise respond to, the screening order 18 and the OSC, there is no alternative but to dismiss the action for her failure to obey court orders 19 and failure to prosecute. 20 Accordingly, it is **HEREBY RECOMMENDED** that this action be dismissed for 21 Plaintiff's failure to obey court orders and failure to prosecute this action.

22 These Findings and Recommendation will be submitted to the assigned United States 23 District Judge, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B). Within twenty-one (21) 24 days after being served with these Findings and Recommendation, Plaintiff may file written 25 objections with the Court.

The document should be captioned "Objections to Magistrate Judge's 26 Findings and Recommendation." Plaintiff is advised that failure to file objections within the 27 specified time may result in the waiver of rights on appeal. *Wilkerson v. Wheeler*, 772 F.3d 834, 28 839 (9th Cir. 2014) (citing *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991)). 1 The Court **DIRECTS** the Clerk of Court to send a copy of this Order to Plaintiff at her 2 address as listed on the docket for this matter.

3 **IT IS SO ORDERED.** 4 5 Dated: January 6, 2026 /s/ Sheila K. Oberto. UNITED STATES
MAGISTRATE JUDGE 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28