

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Antoine Deshawn Barnes v. Amador Sheriff's Office

No. 2:25-cv-0613 CKD P · No. No. 2:25-cv-0613 CKD P · Decided March 25, 2025

SUMMARY

The court recommends dismissing the action without prejudice because the plaintiff failed to pay the required \$405 filing fee within the prescribed period. The matter is referred to the assigned district judge, and the plaintiff is advised of the deadline and procedure for filing objections.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Carolyn K. Delaney
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	March 25, 2025
DOCKET	No. 2:25-cv-0613 CKD P
DISPOSITION	other
PROCEDURAL POSTURE	A prisoner civil-rights action was referred to a magistrate judge, who issued findings and recommendations after plaintiff failed to pay the filing fee as ordered.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Antoine Deshawn Barnes v. Amador Sheriff's Office

TOPICS

- civil procedure
- prisoners rights
- civil rights

PRACTICE AREAS

- Civil procedure
- Prisoner civil rights

QUESTIONS PRESENTED

- Whether the action should be dismissed without prejudice because plaintiff failed to pay the filing fee after being ordered and warned that nonpayment would result in dismissal.

HOLDINGS

- 1. Because plaintiff failed to pay the court-ordered \$405 filing fee within the specified fourteen-day period after being warned of the consequence, dismissal without prejudice was recommended.

KEY QUOTATIONS

“IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice.” (at 1)

FACTUAL BACKGROUND

The court previously ordered plaintiff to pay the \$405 filing fee within fourteen days. Plaintiff was expressly warned that failure to pay would result in dismissal. Plaintiff did not pay the filing fee.

PROCEDURAL HISTORY

On February 28, 2025, the court ordered plaintiff to pay the \$405 filing fee within fourteen days and warned that failure to do so would result in dismissal. Plaintiff did not pay the fee. The magistrate judge ordered assignment of a district judge and recommended that the action be dismissed without prejudice, subject to objections within fourteen days.

DISPOSITION

other

CASES CITED

- Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991)

OPINION

(PC) Barnes v. Amador Sheriff's Office

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10

11 ANTOINE DESHAWN BARNES, No. 2:25-cv-0613 CKD P

12 Plaintiff,

13 v. ORDER AND

14 AMADOR SHERIFF’S OFFICE, FINDINGS AND RECOMMENDATIONS

15 Defendant. 16

17 On February 28, 2025, the court ordered that plaintiff pay the \$405 filing fee for this 18 action within 14 days. Plaintiff was warned that failure to pay the filing fee within 14 days would 19 result in dismissal. Plaintiff has not paid the filing fee. 20 Accordingly, IT IS HEREBY

ORDERED that the Clerk of the Court assign a district 21 court judge to this case; and 22 IT IS
HEREBY RECOMMENDED that this action be dismissed without prejudice. 23 These findings
and recommendations are submitted to the United States District Judge 24 assigned to the case,
pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days 25 after being served
with these findings and recommendations, plaintiff may file written objections 26 with the court.
The document should be captioned “Objections to Magistrate Judge’s Findings 27 and
Recommendations.” Plaintiff is advised that failure to file objections within the specified 28 1]
|| time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 2 |
(9th Cir. 1991). 3 || Dated: March 25, 2025 Card Kt | / ye

4 CAROLYNK.DELANEY

5 UNITED STATES MAGISTRATE JUDGE

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