

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
CALIFORNIA

Williams v. Rama

No. 1:25-cv-00232-KES-SAB (E.D. Cal. June 17, 2025) · No. 1:25-cv-00232-KES-SAB · Decided June 17,  
2025

SUMMARY

The United States Magistrate Judge recommends dismissing Ahkeem Williams’s pro se action against Rasaei Rama and others without prejudice. The recommendation is based on failure to state a claim, failure to prosecute, and failure to comply with the court’s order requiring a second amended complaint. The document also advises that objections may be filed within 14 days.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Eastern District of California                                                                                                                                                                                                                                                                                                                                                               |
| WRITING FOR THE COURT | Stanley A. Boone                                                                                                                                                                                                                                                                                                                                                                                                                  |
| JURISDICTION          | United States District Court for the Eastern District of California                                                                                                                                                                                                                                                                                                                                                               |
| DECIDED               | June 17, 2025                                                                                                                                                                                                                                                                                                                                                                                                                     |
| DOCKET                | 1:25-cv-00232-KES-SAB                                                                                                                                                                                                                                                                                                                                                                                                             |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                                                                                                                                             |
| PROCEDURAL POSTURE    | Findings and recommendations by a magistrate judge recommending dismissal without prejudice of a pro se, in forma pauperis civil-rights action after the plaintiff failed to cure pleading deficiencies, failed to prosecute, and failed to comply with a court order.                                                                                                                                                            |
| STANDARD OF REVIEW    | For involuntary dismissal under Federal Rule of Civil Procedure 41(b), the court considers the public interest in expeditious resolution, the court's need to manage its docket, the risk of prejudice to defendants, the public policy favoring disposition on the merits, and the availability of less drastic sanctions. Screening dismissal under 28 U.S.C. § 1915(e)(2) is proper when the complaint fails to state a claim. |
| PRECEDENTIAL VALUE    | nonprecedential                                                                                                                                                                                                                                                                                                                                                                                                                   |

TOPICS

- civil procedure
- motions to dismiss
- pleadings
- section 1983
- fourteenth amendment

## PRACTICE AREAS

civil procedure

civil rights

constitutional law

## QUESTIONS PRESENTED

1. Whether the action should be dismissed under 28 U.S.C. § 1915(e)(2) for failure to state a claim.
2. Whether the action should be involuntarily dismissed under Federal Rule of Civil Procedure 41(b) for failure to prosecute and failure to comply with a court order.
3. Whether dismissal without prejudice is an appropriate lesser sanction under the circumstances.

## HOLDINGS

1. The action should be dismissed because the amended complaint failed to state a claim for which relief could be granted, despite the court's prior explanation of the pleading deficiencies and opportunity to amend.
2. Dismissal without prejudice was warranted under Federal Rule of Civil Procedure 41(b) because plaintiff failed to prosecute the action and failed to comply with the court's order.

## KEY QUOTATIONS

*“Before dismissing an action under Fed. R. Civ. P. 41, a court must consider: (1) the public interest in expeditious resolution of litigation; (2) the court’s need to manage a docket; (3) the risk of prejudice to defendant; (4) public policy favoring disposition on the merits; and (5) the availability of less drastic sanctions.” (at 2)*

*“It appears Plaintiff has abandoned this action, and Plaintiff’s failure to respond to the Court’s order warrants the sanction of dismissal without prejudice under the circumstances.” (at 3)*

## FACTUAL BACKGROUND

Plaintiff proceeded pro se and in forma pauperis in a civil-rights action. The court twice found that his pleadings failed to state a claim and gave him instructions and an opportunity to file a compliant second amended complaint. Plaintiff failed to file the required pleading, failed to respond to the court's order, and did not update his address after court mail was returned as undeliverable.

## PROCEDURAL HISTORY

The court screened the initial complaint under 28 U.S.C. § 1915 and found that it failed to state a claim, then granted leave to amend. After screening the amended complaint, the court again found pleading deficiencies, advised plaintiff of the applicable Fourteenth Amendment standards, and directed him to file a second amended complaint. Plaintiff did not file the required pleading or respond to the order, and the magistrate judge recommended dismissal without prejudice; the recommendation was subject to review by the assigned district judge under 28 U.S.C. § 636(b).

## DISPOSITION

other

#### CASES CITED

- Barren v. Harrington, 152 F.3d 1193 (9th Cir. 1998)
- Applied Underwriters v. Lichtenegger, 913 F.3d 884, 889-90 (9th Cir. 2019)
- Hells Canyon Pres. Council v. U.S. Forest Serv., 403 F.3d 683, 689 (9th Cir. 2005)
- Malone v. U.S. Postal Service, 833 F.2d 128, 130-31 (9th Cir. 1987)
- Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir. 2000)
- Ferdik v. Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992)
- Yourish v. California Amplifier, 191 F.3d 983, 990-91 (9th Cir. 1999)
- Pagtalunan v. Galaza, 291 F.3d 639, 644 (9th Cir. 2002)
- Sibron v. New York, 392 U.S. 40, 57 (1968)
- Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)
- Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)

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