

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Edwards v. Singh

Edwards · No. 2:24-cv-2480-JDP (P) · Decided May 22, 2025

SUMMARY

The United States District Court for the Eastern District of California ordered plaintiff Roberto J. Edwards to show cause why his action should not be dismissed for failure to prosecute and failure to comply with court orders. The court required him to respond within twenty-one days and, if he wished to continue the lawsuit, to file an amended complaint.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jeremy D. Peterson
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	May 22, 2025
DOCKET	2:24-cv-2480-JDP (P)
DISPOSITION	other
PROCEDURAL POSTURE	Order to show cause issued after plaintiff failed to respond to an order directing him to file an amended complaint or a voluntary notice of dismissal.
PRECEDENTIAL VALUE	Nonprecedential district court order
PARTIES	Roberto J. Edwards v. R. Singh, et al.

TOPICS

- sanctions civil procedure pleadings

PRACTICE AREAS

- civil procedure civil rights

QUESTIONS PRESENTED

1. Whether the court may require plaintiff to show cause why the action should not be dismissed for failure to prosecute and failure to comply with a court order.

2. Whether plaintiff should be given an additional twenty-one days to explain his failure to file an amended complaint or to file an amended complaint.

HOLDINGS

1. A federal district court may use its inherent docket-management authority to impose sanctions, including dismissal, when a party fails to prosecute an action, obey a court order, or comply with applicable local rules.

KEY QUOTATIONS

“The court has the inherent power to control its docket and may, in the exercise of that power, impose sanctions where appropriate, including dismissal.” (1)

“Plaintiffs failure to respond to this order will constitute a failure to comply with a court order and will result in a recommendation that this action be dismissed.” (2)

FACTUAL BACKGROUND

Plaintiff's first amended complaint was screened and found not to state a claim. The court gave plaintiff thirty days to file either another amended complaint or a voluntary notice of dismissal. Plaintiff did not respond or file either document by the time of the order.

PROCEDURAL HISTORY

The court screened plaintiff's first amended complaint on April 17, 2025, determined that it failed to state a claim, and ordered plaintiff to file either an amended complaint or a voluntary notice of dismissal within thirty days. Plaintiff filed no response. The court issued this order requiring plaintiff to show cause within twenty-one days why the action should not be dismissed for failure to prosecute and failure to comply with court orders.

DISPOSITION

other

CASES CITED

- Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir. 2000)
- Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986)

OPINION

(PC) Edwards v. Singh

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 ROBERTO J. EDWARDS, Case No. 2:24-cv-2480-JDP (P) 12 Plaintiff,

13 v. ORDER TO SHOW CAUSE

14 R. SINGH, et al., 15 Defendants. 16 17 On April 17, 2025, I screened plaintiff's first amended
complaint and notified him that it 18 did not state a claim. ECF No. 18. I ordered him to file,
within thirty days, either an amended 19 complaint or a voluntary notice of dismissal. Id. To date,
plaintiff has not filed any response. 20 The court has the inherent power to control its docket and
may, in the exercise of that 21 power, impose sanctions where appropriate, including dismissal.
Bautista v. Los Angeles Cnty., 22 216 F.3d 837, 841 (9th Cir. 2000); see Local Rule 110 ("Failure
of counsel or of a party to 23 comply with these Rules or with any order of the Court may be
grounds for imposition by the 24 Court of any and all sanctions . . . within the inherent power of
the Court."). A court may dismiss 25 an action based on a party's failure to prosecute an action,
failure to obey a court order, or failure 26 to comply with local rules. See Henderson v. Duncan,
779 F.2d 1421, 1424 (9th Cir. 1986) 27 (dismissal for lack of prosecution and failure to comply
with local rules). 28 I will give plaintiff a chance to explain why the court should not dismiss the
case for his 1 | failure to file an amended complaint. Plaintiffs failure to respond to this order will
constitute a 2 | failure to comply with a court order and will result in a recommendation that this
action be 3 | dismissed. Accordingly, plaintiff is ordered to show cause within twenty-one days
why this case 4 | should not be dismissed for failure to prosecute and failure to comply with court
orders. Should 5 | plaintiff wish to continue with this lawsuit, he shall file, within twenty-one days,
an amended 6 | complaint. 7 g IT IS SO ORDERED. Dated: _ May 22, 2025 q————

10 JEREMY D. PETERSON

i UNITED STATES MAGISTRATE JUDGE

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