

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Daniel Govind v. Warden James S. Hill, et al.

Govind · No. 5:23-cv-01080-JFW-JC · Decided January 5, 2026

SUMMARY

The United States District Court for the Central District of California dismissed Daniel Govind’s pro se civil rights action against California prison officials. The court adopted prior screening orders and dismissed the action based on Plaintiff’s failure to comply with orders requiring amendment, dismissal, or notice of intent to stand on the operative complaint, and based on unreasonable failure to prosecute.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	John F. Walter
JURISDICTION	United States District Court for the Central District of California
DECIDED	January 5, 2026
DOCKET	5:23-cv-01080-JFW-JC
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court dismissed a pro se prisoner civil-rights action after the plaintiff failed to comply with an order granting leave to amend and failed to prosecute.
STANDARD OF REVIEW	The court applied the Ninth Circuit's five-factor framework for sua sponte dismissal for failure to prosecute or failure to comply with court orders.
PRECEDENTIAL VALUE	Unknown; district court memorandum opinion and order with no reporter citation
PARTIES	Daniel Govind v. Warden James S. Hill, et al.

TOPICS

- civil procedure
- sanctions
- pleadings
- civil rights
- prisoners rights

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court could sua sponte dismiss the action for Plaintiff's unreasonable failure to prosecute and failure to comply with the Third Screening Order and November Order.
2. Whether dismissal was warranted under the five-factor framework governing dismissal for failure to prosecute or failure to comply with court orders.
3. Whether the magistrate judge's prior screening orders had been properly reviewed before the district court dismissed the action.

HOLDINGS

1. A district court may sua sponte dismiss an action when a plaintiff unreasonably fails to prosecute or fails to comply with a court order, including under Federal Rule of Civil Procedure 41(b).
2. Dismissal was appropriate because the public interest in expeditious resolution, the court's need to manage its docket, the presumed prejudice to defendants, and the unavailability of a feasible lesser sanction outweighed the policy favoring disposition on the merits.
3. Before dismissing the entire action based on failure to comply with magistrate judge screening orders, the district judge must review those orders and determine that the underlying dismissals with leave to amend were proper.

KEY QUOTATIONS

"It is well-established that a district court may sua sponte dismiss an action where the plaintiff has failed to comply with a court order and/or unreasonably failed to prosecute." (5)

"In determining whether to dismiss an action for failure to prosecute or failure to comply with court orders, a district court must consider several factors, namely (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 defendants; (4) the public policy favoring disposition of cases on their merits; and (5) the availability of less drastic alternatives." (6)

FACTUAL BACKGROUND

Daniel Govind, proceeding pro se, filed a civil-rights complaint against employees of the California Department of Corrections and Rehabilitation. The court repeatedly found deficiencies in the original complaint, first amended complaint, and second amended complaint, including failure to state viable claims. After receiving multiple opportunities and extensions to amend, voluntarily dismiss, or stand on his pleading, Govind filed none of the required documents by the extended deadline and ceased communicating with the court.

PROCEDURAL HISTORY

Plaintiff filed the action on June 7, 2023. After an initial dismissal for failure to pay the filing fee, the court reopened the case after Plaintiff paid the fee. A magistrate judge screened and dismissed the original complaint, first amended complaint, and second amended complaint with leave to amend, while providing opportunities to

dismiss voluntarily or stand on the pleadings. Plaintiff did not comply with the final screening order or a subsequent deadline extension, and the district court dismissed the action for failure to prosecute and failure to comply with court orders.

DISPOSITION

dismissed

CASES CITED

- Branch v. Umphenour, 936 F.3d 994, 1004 (9th Cir. 2019)
- Williams v. King, 875 F.3d 500, 504 (9th Cir. 2017)
- McKeever v. Block, 932 F.2d 795, 797-98 (9th Cir. 1991)
- Bastidas v. Chappell, 791 F.3d 1155, 1162 (9th Cir. 2015)
- Hunt v. Pliler, 384 F.3d 1118, 1124 (9th Cir. 2004)
- Link v. Wabash Railroad Co., 370 U.S. 626, 629-33 (1962)
- Ferdik v. Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992), cert. denied, 506 U.S. 915 (1992)
- Edwards v. Marin Park, Inc., 356 F.3d 1058, 1065 (9th Cir. 2004)
- In re Eisen, 31 F.3d 1447, 1451 (9th Cir. 1994)
- Hernandez v. City of El Monte, 138 F.3d 393, 399 (9th Cir. 1998)
- Anderson v. Air West, Inc., 542 F.2d 522, 524 (9th Cir. 1976)
- Yourish v. California Amplifier, 191 F.3d 983, 989, 992 (9th Cir. 1999)