

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Janette Hill v. Experian Information Solutions Inc

No. 8:25-cv-01673-SVW-PVC, United States District Court for the Central District of California (September 10, 2025)

SUMMARY

The United States District Court for the Central District of California ordered the plaintiff to show cause why the action should not be dismissed for lack of prosecution. The court noted that the defendant had not answered and that the plaintiff had not sought entry of default under Federal Rule of Civil Procedure 55(a), directing the plaintiff to seek default or dismiss the complaint by September 26, 2025.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Stephen V. Wilson
JURISDICTION	United States District Court for the Central District of California
DECIDED	September 10, 2025
DOCKET	8:25-cv-01673-SVW-PVC
DISPOSITION	other
PROCEDURAL POSTURE	The district court issued an order to show cause why the action should not be dismissed for lack of prosecution after the defendant failed to answer and the plaintiff failed to seek entry of default.
PRECEDENTIAL VALUE	unknown

TOPICS

- default
- civil procedure

PRACTICE AREAS

- civil procedure
- consumer protection

QUESTIONS PRESENTED

1. Whether the district court may sua sponte order the plaintiff to show cause why the action should not be dismissed for lack of prosecution.
2. Whether the plaintiff's failure to seek entry of default after the defendant failed to answer warranted an order to show cause.

HOLDINGS

1. A district court has inherent authority to dismiss an action for lack of prosecution on its own motion and may require the plaintiff to show cause why dismissal should not occur.

KEY QUOTATIONS

“Failure to respond will be deemed consent to the dismissal of the action.” (at 1)

FACTUAL BACKGROUND

Experian Information Solutions Inc. had not answered the complaint. Plaintiff Janette Hill had not requested entry of default under Federal Rule of Civil Procedure 55(a), and the court treated the failure to advance the case as implicating lack of prosecution.

PROCEDURAL HISTORY

The case was pending in the Central District of California. Because the defendant had not answered, the court noted that the plaintiff had not requested entry of default under Federal Rule of Civil Procedure 55(a). The court sua sponte ordered the plaintiff to show cause in writing by September 26, 2025, why the action should not be dismissed for lack of prosecution.

DISPOSITION

other

CASES CITED

- Link v. Wabash R. Co., 370 U.S. 626 (1962)

OPINION

Janette Hill v. Experian Information Solutions Inc

PER CURIAM.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.: 8:25-cv-01673-SVW-PVC Date: September 10, 2025 Title: Janette Hill v. Experian Information Solutions Inc Present: The Honorable STEPHEN V. WILSON United States District Judge Daniel Tamayo N/A Deputy Clerk Court Reporter Attorney(s) Present for Plaintiff(s): Attorney(s) Present for Defendant(s): None Appearing None Appearing Proceedings: [In

Chambers] Order To Show Cause Re: Dismissal for Lack of Prosecution Plaintiff(s) are ORDERED to show cause why this case should not be dismissed for lack of prosecution. Link v. Wabash R. Co., 370 U.S. 626 (1962) (Court has inherent power to dismiss for lack of prosecution on its own motion). The below time period(s) has not been met. Accordingly, the Court, on its own motion, orders Plaintiff(s) to show cause, in writing, on or before September 26, 2025, why this action should not be dismissed for lack of prosecution. This matter will stand submitted upon the filing of Plaintiff(s) response. See Fed. R. Civ. P. 78. Failure to respond will be deemed consent to the dismissal of the action. ☒ Defendant(s) Experian Information Solutions Inc did not answer the complaint, yet Plaintiff(s) have failed to request entry of default, pursuant to Fed. R. Civ. P. 55(a). Plaintiff(s) can satisfy this order by seeking entry of default or by dismissing the complaint. IT IS SO ORDERED.