

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Lucio Justo Ramos Carrillo v. Unknown

Ramos Carrillo · No. 2:25-cv-2315-JDP (P) · Decided October 10, 2025

SUMMARY

This is an Order to Show Cause issued by the United States District Court for the Eastern District of California in Ramos Carrillo v. Unknown. The court directs petitioner to explain within twenty-one days why the action should not be dismissed for failure to pay the filing fee, failure to prosecute, and failure to comply with court orders, and directs petitioner to pay the fee or submit an in forma pauperis application.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jeremy D. Peterson
DECIDED	October 10, 2025
DOCKET	2:25-cv-2315-JDP (P)
DISPOSITION	other
PROCEDURAL POSTURE	Habeas petitioner failed to pay the filing fee or submit an application to proceed in forma pauperis after being ordered to do so. The court issued an order to show cause before recommending dismissal.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Lucio Justo Ramos Carrillo v. Unknown

TOPICS

civil procedure motions to dismiss

PRACTICE AREAS

civil procedure federal habeas corpus

QUESTIONS PRESENTED

- Whether the court should require petitioner to show cause why the action should not be dismissed for failure to pay the filing fee, failure to prosecute, and failure to comply with court orders.

2. Whether petitioner should be given an additional twenty-one days to pay the filing fee or submit a complete application to proceed in forma pauperis.

HOLDINGS

1. A district court may dismiss a case for failure to prosecute or failure to comply with court orders or local rules, although involuntary dismissal is a harsh penalty.

KEY QUOTATIONS

“Involuntary dismissal is a harsh penalty, but a district court has a duty to administer justice expeditiously and avoid needless burden for the parties.” (1)

“Petitioner’s 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.” (1-2)

FACTUAL BACKGROUND

The court had previously ordered petitioner to submit either the \$5 filing fee or an application for leave to proceed in forma pauperis within thirty days. As of the order to show cause, petitioner had done neither. The court therefore required petitioner to explain why the action should not be dismissed for failure to pay the fee, failure to prosecute, and failure to comply with court orders.

PROCEDURAL HISTORY

On August 20, 2025, the court ordered petitioner to submit within thirty days either the \$5 filing fee or an application for leave to proceed in forma pauperis. Petitioner had done neither by October 10, 2025. The court ordered petitioner to show cause within twenty-one days why the action should not be dismissed and directed him either to pay the filing fee or submit a complete in forma pauperis application.

DISPOSITION

other

CASES CITED

- Hells Canyon Pres. Council v. U.S. Forest Serv., 403 F.3d 683, 689 (9th Cir. 2005)
- Carey v. King, 856 F.2d 1439, 1440-41 (9th Cir. 1988)
- Pagtalunan v. Galaza, 291 F.3d 639, 642 (9th Cir. 2002)