

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Ederick Dillard v. Kenneth L. Williams, et al.

Dillard · No. 2:24-cv-01988-RFB-MDC · Decided November 26, 2025

SUMMARY

The United States District Court for the District of Nevada dismisses Ederick Dillard’s 42 U.S.C. § 1983 action without prejudice because he failed to provide an updated address as ordered. Applying the Ninth Circuit’s dismissal factors, the court concludes that continued proceedings are impracticable and that issuing another address-update order would not be a meaningful alternative. The court directs the clerk to enter judgment and explains that Dillard may seek reconsideration and reopening within 30 days.

CASE DETAILS

COURT	United States District Court for the District of Nevada
WRITING FOR THE COURT	Richard F. Boulware, II
JURISDICTION	United States District Court for the District of Nevada
DECIDED	November 26, 2025
DOCKET	2:24-cv-01988-RFB-MDC
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se plaintiff brought a civil-rights action under 42 U.S.C. § 1983. The district court dismissed the action without prejudice after plaintiff failed to comply with an order requiring him to update his address, resulting in returned mail and preventing the case from proceeding.
STANDARD OF REVIEW	The opinion does not identify an appellate standard of review; it applies the Ninth Circuit's five-factor framework for dismissal based on failure to obey a court order or comply with local rules.
PRECEDENTIAL VALUE	unknown
PARTIES	Ederick Dillard v. Kenneth L. Williams, et al.

TOPICS

- sanctions
- civil procedure
- section 1983
- civil rights
- prisoners rights

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court could dismiss the action without prejudice because Dillard failed to comply with the order requiring him to update his address.
2. Whether the Ninth Circuit's five dismissal factors favored dismissal and whether a further deadline was a meaningful less-drastic alternative.

HOLDINGS

1. A district court may dismiss an action under its inherent docket-management authority when a party fails to obey a court order or comply with applicable local rules.
2. Dismissal without prejudice was warranted because the public interest in expeditious resolution, the court's need to manage its docket, the risk of prejudice to defendants, and the inadequacy of a less drastic alternative outweighed the public policy favoring disposition on the merits.

KEY QUOTATIONS

“District courts have the inherent power to control their dockets and “[i]n the exercise of that power they may impose sanctions including, where appropriate, . . . dismissal” of a case.” (at 1)

“Setting another deadline is not a meaningful alternative given these circumstances.” (at 2)

FACTUAL BACKGROUND

Dillard filed a pro se § 1983 action concerning alleged constitutional violations suffered while incarcerated. The court ordered him to update his address by October 23, 2025, but he did not do so, and court mail was returned as undeliverable. Without a current address, the court and defendants could not reliably send case-related documents, filings, and orders.

PROCEDURAL HISTORY

On September 23, 2025, the court ordered Dillard to update his address by October 23, 2025. Dillard did not update his address, and court mail was returned as undeliverable. The court dismissed the action without prejudice under its inherent docket-management authority and for failure to comply with the court's order, directed the clerk to enter judgment and close the case, and allowed Dillard to seek reopening through a motion for reconsideration within 30 days.

DISPOSITION

dismissed

CASES CITED

- *Thompson v. Housing Authority of Los Angeles*, 782 F.2d 829, 831 (9th Cir. 1986)

- Carey v. King, 856 F.2d 1439, 1440-41 (9th Cir. 1988)
- Malone v. United States Postal Service, 833 F.2d 128, 130 (9th Cir. 1987)
- In re Phenylpropanolamine (PPA) Products Liability Litigation, 460 F.3d 1217, 1226 (9th Cir. 2006)
- Anderson v. Air West, 542 F.2d 522, 524 (9th Cir. 1976)
- Yourish v. California Amplifier, 191 F.3d 983, 992 (9th Cir. 1999)
- Pagtalunan v. Galaza, 291 F.3d 639, 643 & 643 n.4 (9th Cir. 2002)
- Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986)

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