

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Christopher Gonzalez v. Governor Joe Lombardo, et al.

Gonzalez · No. 2:25-cv-01573-APG-EJY · Decided December 19, 2025

SUMMARY

The United States District Court for the District of Nevada dismissed Christopher Gonzalez’s 42 U.S.C. § 1983 action without prejudice after he failed to file a complete application to proceed in forma pauperis or pay the required filing fee. The court concluded that the relevant dismissal factors favored dismissal for failure to comply with the magistrate judge’s order and directed the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the District of Nevada
JURISDICTION	United States District Court for the District of Nevada
DECIDED	December 19, 2025
DOCKET	2:25-cv-01573-APG-EJY
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court dismissed the plaintiff's § 1983 action without prejudice after he failed to file a complete application to proceed in forma pauperis or pay the filing fee as ordered.
STANDARD OF REVIEW	The court applied the Ninth Circuit's five-factor framework for dismissal under the district court's inherent docket-management authority and for failure to obey a court order.
PRECEDENTIAL VALUE	unknown
PARTIES	Christopher Gonzalez v. Governor Joe Lombardo, et al.

TOPICS

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

PRACTICE AREAS

- civil procedure
- civil rights
- prisoner litigation

QUESTIONS PRESENTED

1. Whether the district court could dismiss the action without prejudice based on Gonzalez's failure to comply with the order requiring a complete IFP application or payment of the filing fee.
2. Whether the five dismissal factors, including the availability of less drastic alternatives, favored dismissal.

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 otherwise fails to comply with applicable court requirements.
2. Dismissal was warranted because the public interest in expeditious resolution, the court's need to manage its docket, the presumption of prejudice from unreasonable delay, and the lack of a meaningful less drastic alternative outweighed the policy favoring disposition on the merits.

KEY QUOTATIONS

"I THEREFORE ORDER that this action is dismissed without prejudice based on Christopher Gonzalez's failure to file a fully complete application to proceed in forma pauperis or pay the full \$405 filing fee in compliance with the magistrate judge's September 29, 2025, order." (at 3)

FACTUAL BACKGROUND

Christopher Gonzalez brought a § 1983 civil-rights action alleging constitutional violations suffered while incarcerated at High Desert State Prison. The magistrate judge ordered him to file a fully complete IFP application or pay the \$405 civil filing fee by November 28, 2025. Gonzalez neither responded nor complied by the deadline.

PROCEDURAL HISTORY

Gonzalez filed a civil-rights action concerning alleged constitutional violations during his incarceration. A magistrate judge ordered him to submit a complete IFP application or pay the \$405 filing fee by November 28, 2025, and warned that failure to comply could result in dismissal. Gonzalez did not respond or comply, so the district court dismissed the action without prejudice and closed the case.

DISPOSITION

dismissed

CASES CITED

- Thompson v. Hous. Auth. of City 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. U.S. Postal Service, 833 F.2d 128, 130 (9th Cir. 1987)
- In re Phenylpropanolamine Prod. Liab. Litig., 460 F.3d 1217, 1226 (9th Cir. 2006)
- Anderson v. Air West, 542 F.2d 522, 524 (9th Cir. 1976)
- Yourish v. Cal. Amplifier, 191 F.3d 983, 992 (9th Cir. 1999)

- Pagtalunan v. Galaza, 291 F.3d 639, 643 & n.4 (9th Cir. 2002)
- Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986)

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