

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Zavala v. Valdes

Zavala · No. 1:24-cv-01360 JLT SKO · Decided March 10, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted in full the magistrate judge’s findings and recommendation to dismiss Antonio Zavala’s action against Fresno police officer Robert Valdes. The court dismissed the case for failure to obey court orders and failure to prosecute, denied Zavala’s request for an emergency protective order, and directed the clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	March 10, 2025
DOCKET	1:24-cv-01360 JLT SKO
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's findings and recommendations de novo after the plaintiff failed to amend his complaint, failed to respond to an order to show cause, and failed to file objections. The court adopted the findings and recommendations, denied the plaintiff's request for an emergency protective order, dismissed the action, and directed the clerk to close the case.
STANDARD OF REVIEW	De novo review of the findings and recommendations under 28 U.S.C. § 636(b)(1). Dismissal for failure to obey court orders and failure to prosecute was evaluated under the Ninth Circuit's five Henderson factors. The request for injunctive relief was evaluated under the requirement that the movant show a likelihood of success on the merits.
PRECEDENTIAL VALUE	unpublished district court order; persuasive value only
PARTIES	Antonio Zavala v. Robert Valdes

TOPICS

- sanctions
- injunctions
- section 1983
- civil rights
- civil procedure

PRACTICE AREAS

civil procedure

civil rights

remedies

QUESTIONS PRESENTED

1. Whether the action should be dismissed because the plaintiff failed to obey court orders and failed to prosecute.
2. Whether the plaintiff was entitled to an emergency protective order when his complaint did not state a cognizable claim and he could not show a likelihood of success on the merits.

HOLDINGS

1. A district court may dismiss an action when the plaintiff fails to comply with court orders and fails to prosecute, and the Henderson factors supported dismissal in this case.
2. The plaintiff was not entitled to emergency injunctive relief because he failed to state a cognizable claim and therefore could not demonstrate a likelihood of success on the merits.

KEY QUOTATIONS

“The public’s interest in expeditiously resolving this litigation and the Court’s interest in managing the docket weigh in favor of dismissal.” (at 2)

“Thus, the Henderson factors weigh in favor of dismissal for Plaintiff’s failure to comply with the Court’s orders and failure to prosecute.” (at 3)

FACTUAL BACKGROUND

Antonio Zavala sued Fresno police officer Robert Valdes alleging civil-rights violations. After screening, the court found that Zavala had not stated a cognizable claim and directed him to file an amended complaint or stand on his original complaint. Zavala did not amend, filed an emergency protective-order request based on the same allegations, and failed to respond to an order to show cause or file timely objections to the recommendation of dismissal.

PROCEDURAL HISTORY

The magistrate judge screened the complaint under 28 U.S.C. § 1915(e)(2) and concluded that it failed to state a cognizable civil-rights claim. The plaintiff was given leave to amend or stand on the complaint, but did not amend; he also failed to respond to an order to show cause concerning noncompliance and failure to prosecute. The magistrate judge recommended dismissal, and the district court adopted that recommendation in full after the objection period expired.

DISPOSITION

dismissed

CASES CITED

- Wilkerson v. Wheeler, 772 F.3d 834, 838-839 (9th Cir. 2014)
- Henderson v. Duncan, 779 F.2d 1421, 1423 (9th Cir. 1986)
- Yourish v. Cal. Amplifier, 191 F.3d 983, 990 (9th Cir. 1999)
- Ferdik v. Bonzelet, 963 F.2d 1258, 1261-1262 (9th Cir. 1992)
- Malone v. U.S. Postal Service, 833 F.2d 128, 133 n.2 (9th Cir. 1987)
- Winter v. Nat. Res. Def. Council, Inc., 555 U.S. 7, 20 (2008)

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