

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Papazian v. Doerer

Papazian · No. 1:24-cv-01182 JLT HBK · Decided August 18, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations in James Michael Papazian’s civil rights action concerning an institutional lockdown. The court dismissed the action without prejudice for failure to obey court orders and failure to prosecute, and directed the clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jennifer L. Thurston
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	August 18, 2025
DOCKET	1:24-cv-01182 JLT HBK
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's findings and recommendations recommending dismissal without prejudice for failure to obey court orders and failure to prosecute. Plaintiff did not file objections, and the district court adopted the findings and recommendations and dismissed the action.
STANDARD OF REVIEW	De novo review under 28 U.S.C. § 636(b)(1).
PRECEDENTIAL VALUE	Unpublished, nonprecedential district court order

TOPICS

- civil procedure
- prisoners rights
- civil rights

PRACTICE AREAS

- Civil procedure
- Prisoner civil rights
- Federal courts

QUESTIONS PRESENTED

1. Whether the magistrate judge's findings and recommendations recommending dismissal without prejudice for failure to obey court orders and failure to prosecute should be adopted.
2. Whether the action should be dismissed without prejudice and the case closed.

HOLDINGS

1. The findings and recommendations were supported by the record and proper analysis and were adopted in full.
2. The action was properly dismissed without prejudice because Plaintiff failed to obey the Court's orders and failed to prosecute the action.

KEY QUOTATIONS

“This action is DISMISSED without prejudice for Plaintiffs failure to obey the Court’s orders and failure to prosecute.” (at 2)

FACTUAL BACKGROUND

James Michael Papazian brought civil-rights claims concerning a lockdown at the United States Penitentiary in Atwater during fall 2024. The action was severed from *Benanti v. Doerer*. Plaintiff failed to obey a court order and failed to prosecute the action, and he did not object to the magistrate judge's recommendation that the case be dismissed without prejudice.

PROCEDURAL HISTORY

Plaintiff's civil-rights claims arising from a prison lockdown were severed from another action. The magistrate judge found that Plaintiff failed to obey a court order and failed to prosecute, and recommended dismissal without prejudice after considering the factors identified in *Henderson v. Duncan*. Plaintiff received the findings and recommendations and notice that objections were due within 14 days but filed none. The district court conducted de novo review under 28 U.S.C. § 636(b)(1), adopted the findings and recommendations in full, dismissed the action without prejudice, and directed the clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986)
- *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014)

OPINION

(PC) *Papazian v. Doerer*

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 JAMES MICHAEL PAPAZIAN, Case No.: 1:24-cv-01182 JLT HBK 12 Plaintiff, ORDER
ADOPTING FINDINGS AND

RECOMMENDATIONS, DISMISSING THE

13 v. ACTION WITHOUT PREJUDICE, AND

DIRECTING THE CLERK OF COURT TO

14 J. DOERER, CLOSE THE CASE

15 Defendant. (Doc. 26) 16 17 James Michael Papazian seeks to hold the defendants liable for
violations of his civil 18 rights while incarcerated at United States Penitentiary- Atwater, stating
claims related to a 19 lockdown that occurred at the facility in the fall of 2024.¹ The assigned
magistrate judge found 20 Plaintiff failed to obey the Court's order and failed to prosecute the
action. (Doc. 26 at 1-3.) The 21 magistrate judge found dismissal of the action without prejudice
was appropriate, after 22 considering the factors identified by the Ninth Circuit in *Henderson v.*
Duncan, 779 F.2d 1421, 23 1424 (9th Cir. 1986). (Id. at 4-5.) 24 The Court served these Findings
and Recommendations on Plaintiff and notified him at 25 that any objections were due within 14
days. (Doc. 26 at 5.) The Court advised him that the 26 "[f]ailure to file any objections within the
specified time may result in the waiver of his rights on 27 1 On October 3, 2024, the Court severed
Plaintiff's claims from *Benanti v. Doerer*, Case No. 1:24-cv-01108- CDB (PC). (Doc. 2.) 1 |
appeal." (dd. at 6, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014).) Plaintiff 2 |
did not file objections, and the time to do so expired. 3 According to 28 U.S.C. § 636(b)(1), this
Court performed a de novo review of this case. 4 | Having carefully reviewed the matter, the Court
concludes the Findings and Recommendations 5 | are supported by the record and proper analysis.
Thus, the Court ORDERS: 6 1. The Findings and Recommendations issued on July 25, 2025 (Doc.
26) are 7 ADOPTED in full. 8 2. This action is DISMISSED without prejudice for Plaintiffs
failure to obey the 9 Court's orders and failure to prosecute. 10 3. The Clerk of Court is directed to
close this case. 11 b IT IS SO ORDERED. 13 | Dated: _August 16, 2025 Cerin | Tower

TED STATES DISTRICT JUDGE

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