

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Antwoine Bealer v. Warden, et al.

Bealer v. Warden · No. 2:23-cv-0284-DC-JDP (P) · Decided November 18, 2025

SUMMARY

The United States District Court for the Eastern District of California ordered plaintiff Antwoine Bealer to show cause within fourteen days why his civil rights action against Doe defendants should not be dismissed. The order was based on plaintiff's failure to comply with a prior order requiring submission of subpoenas and payment of United States Marshal fees, resulting in the case remaining inactive.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jeremy D. Peterson
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	November 18, 2025
DOCKET	2:23-cv-0284-DC-JDP (P)
DISPOSITION	other
PROCEDURAL POSTURE	In a civil rights action against Doe defendants, the court ordered the plaintiff to show cause why the action should not be dismissed for failure to prosecute after he failed to comply with an order requiring submission of subpoenas and payment of Marshal fees.
PRECEDENTIAL VALUE	Nonprecedential district court order

TOPICS

- sanctions
- civil procedure
- civil rights

PRACTICE AREAS

- civil rights
- civil procedure
- prisoners rights

QUESTIONS PRESENTED

1. Whether the court may impose dismissal-related sanctions, including dismissal for failure to prosecute or failure to obey a court order.
2. Whether plaintiff's failure to comply with the subpoena and fee order warranted an order to show cause why the action should not be dismissed.

HOLDINGS

1. The court has inherent authority to control its docket and may impose sanctions, including dismissal, when a party fails to prosecute an action, obey a court order, or comply with local rules.
2. The court did not yet dismiss the action; instead, it ordered plaintiff to show cause within fourteen days why the action should not be dismissed for failure to prosecute.

KEY QUOTATIONS

“The court has the inherent power to control its docket and may, in the exercise of that power, impose sanctions where appropriate, including dismissal.” (at 1)

“Accordingly, it is hereby ORDERED that plaintiff show cause within fourteen days of the date of this order why this action should not be dismissed for failure to prosecute.” (at 2)

FACTUAL BACKGROUND

Plaintiff brought a civil rights action against two Doe defendants and had been attempting to learn their identities. Because he was not proceeding in forma pauperis, the court ordered him to submit two subpoenas and \$130 in fees for service by the United States Marshal. He failed to comply, and the case remained inactive.

PROCEDURAL HISTORY

Plaintiff filed this civil rights action in February 2023 and attempted to identify two Doe defendants. On September 4, 2025, the court ordered plaintiff to provide two completed subpoenas and \$130 in Marshal fees within thirty days. Plaintiff did not respond, and the court issued an order to show cause requiring him to explain within fourteen days why the action should not be dismissed for failure to prosecute.

DISPOSITION

other

CASES CITED

- *Bautista v. Los Angeles County*, 216 F.3d 837, 841 (9th Cir. 2000)
- *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986)