

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Marquise Louis Drumwright v. C. Huckleberry, et al.

Drumwright v. Huckleberry · No. 1:22-cv-01410 JLT SKO (PC) · Decided September 22, 2025

SUMMARY

The United States District Court for the Eastern District of California adopts the magistrate judge’s findings and recommendations and dismisses Marquise Louis Drumwright’s 42 U.S.C. § 1983 action without prejudice. The dismissal is based on the plaintiff’s failure to obey local rules, keep the Court apprised of his current address, and prosecute the action.

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	September 22, 2025
DOCKET	1:22-cv-01410 JLT SKO (PC)
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's findings and recommendations recommending dismissal without prejudice for failure to obey local rules and failure to prosecute.
STANDARD OF REVIEW	De novo review under 28 U.S.C. § 636(b)(1) of the magistrate judge's findings and recommendations.
PRECEDENTIAL VALUE	Unknown; district court order with no reported citation.

TOPICS

- sanctions
- civil procedure
- section 1983
- prisoners rights

PRACTICE AREAS

- civil rights
- civil procedure
- prisoner litigation

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's findings and recommendations after conducting de novo review.
2. Whether dismissal without prejudice was appropriate because Plaintiff failed to obey the Local Rules and failed to prosecute the action.

HOLDINGS

1. After conducting de novo review under 28 U.S.C. § 636(b)(1), the district court adopted the findings and recommendations in full.
2. Dismissal without prejudice was appropriate as a terminating sanction for Plaintiff's failure to obey the Local Rules and failure to prosecute.

KEY QUOTATIONS

“failure to file any objections within the specified time may result in the waiver of certain rights on appeal.”
(at 1)

FACTUAL BACKGROUND

Plaintiff pursued a § 1983 civil-rights action but failed to keep the Court apprised of his current address and failed to comply with the Court's Local Rules. The magistrate judge determined that terminating sanctions were appropriate under the factors identified in *Carey v. King* and recommended dismissal without prejudice. Plaintiff did not file objections after being given fourteen days to do so.

PROCEDURAL HISTORY

Plaintiff brought a civil-rights action under 42 U.S.C. § 1983. The matter was referred to a magistrate judge, who recommended terminating sanctions and dismissal because Plaintiff failed to keep the Court apprised of his current address and failed to prosecute. After Plaintiff filed no objections within the prescribed period, the district court conducted de novo review, adopted the findings and recommendations in full, dismissed the action without prejudice, and directed the Clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- *Carey v. King*, 856 F.2d 1439, 1440 (9th Cir. 1988)
- *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014)