

DISTRICT COURT OF GUAM

John Shapiro v. Joy Campanelli

Shapiro · No. 25-00045 · Decided February 19, 2026

SUMMARY

The District Court of Guam dismissed John Shapiro’s case with prejudice for failure to prosecute after he failed to file an amended complaint as ordered. The court noted that mail containing the prior order was returned as undeliverable but held that maintaining an updated address was Plaintiff’s responsibility.

CASE DETAILS

COURT	District Court of Guam
WRITING FOR THE COURT	Frances M. Tydingco-Gatewood
JURISDICTION	District Court of Guam
DECIDED	February 19, 2026
DOCKET	25-00045
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court sua sponte dismissed the action with prejudice for failure to prosecute after Plaintiff failed to file an amended complaint as ordered.
PRECEDENTIAL VALUE	Unknown

TOPICS

- civil procedure
- pleadings
- sanctions

PRACTICE AREAS

- civil procedure

QUESTIONS PRESENTED

- Whether the district court could sua sponte dismiss the action with prejudice for failure to prosecute after Plaintiff failed to comply with the order to file an amended complaint.

HOLDINGS

1. A district court may sua sponte dismiss a case for lack of prosecution after weighing docket-management needs, the public interest in expeditious resolution, the risk of prejudice to defendants, the policy favoring decisions on the merits, and the availability of less drastic sanctions.

KEY QUOTATIONS

“[T]he district court must weigh the court’s need to manage its docket, the public interest in expeditious resolution of litigation, and the risk of prejudice to the defendants against the policy favoring disposition of cases on their merits, and the availability of less drastic sanctions.” (2)

FACTUAL BACKGROUND

The court had previously ordered Plaintiff to file an amended complaint within 21 days. Plaintiff failed to do so, and the mail containing the order and notice of entry was returned as undeliverable. The court concluded that Plaintiff was responsible for maintaining a current address and that dismissal with prejudice was warranted to manage the docket and promote the expeditious resolution of litigation.

PROCEDURAL HISTORY

On January 20, 2026, the court ordered Plaintiff to file an amended complaint within 21 days and warned that failure to do so would result in dismissal with prejudice for failure to state a claim. The order and notice of entry were returned as undeliverable on February 9, 2026. Plaintiff did not file an amended complaint, and the court dismissed the case with prejudice for lack of prosecution.

DISPOSITION

dismissed

CASES CITED

- Ash v. Cvetkov, 739 F.2d 493 (9th Cir. 1984)

OPINION

Shapiro

PER CURIAM.

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7 THE DISTRICT COURT OF GUAM

8

JOHN SHAPIRO, CIVIL CASE NO. 25-00045

9 Plaintiff, 10 vs. ORDER 11

JOY CAMPANELLI,

12 Defendant. 13

14 On January 20, 2026, the court ordered Plaintiff to file an amended complaint within 21 15
16 days from the date of the Order. See ECF No. 3. The court also warned Plaintiff that failure to 16

timely file an amended complaint will result in dismissal with prejudice for failure to state a claim. Id. On February 9, 2026, the mail that was sent to Plaintiff, containing a copy of the Order dated January 20, 2026 (ECF No. 3), along with the Notice of Entry of Order (ECF No. 4), were returned as undeliverable. See ECF No. 5. The court has the inherent power to sua sponte dismiss a case for lack of prosecution. *Ash v. Cvetkov*, 739 F.2d 493 (9th Cir. 1984). “[T]he district court must weigh the court’s need to manage its docket, the public interest in expeditious resolution of litigation, and the risk of prejudice to the defendants against the policy favoring disposition of cases on their merits, and the availability of less drastic sanctions.” /d. (citations omitted). In order for the court to manage its docket and to reflect the public’s interest in the expeditious resolution of litigation, the court finds that dismissal of this case with prejudice is warranted. Plaintiff failed to amend his complaint and while the court recognizes that the mail sent to Plaintiff was returned as undeliverable, it is Plaintiffs duty to ensure that his address is updated. 7 SO ORDERED. 8 9 is /s/ Frances M. Tydingco-Gatewood J Chief Judge 10 : ’ & Dated: Feb 19, 2026 1] 12 13 14 15 16 17 18 19 20 21 22 23 24