

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Marie Cassano v. Princess Cruise Lines Ltd. et al.

No. 2:25-cv-11759-SVW-MAR, United States District Court for the Central District of California (January 14, 2026)

SUMMARY

The United States District Court for the Central District of California ordered the plaintiff to show cause why the action should not be dismissed for lack of prosecution. The order states that the defendant had not answered the complaint and directs the plaintiff to seek entry of default or dismiss the complaint by January 23, 2026.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Stephen V. Wilson
JURISDICTION	United States District Court for the Central District of California
DECIDED	January 14, 2026
DOCKET	2:25-cv-11759-SVW-MAR
DISPOSITION	other
PROCEDURAL POSTURE	The district court issued an order to show cause why the action should not be dismissed for lack of prosecution after the defendant failed to answer and the plaintiff failed to request entry of default.
PRECEDENTIAL VALUE	unpublished
PARTIES	Marie Cassano v. Princess Cruise Lines Ltd. et al.

TOPICS

- default
- sanctions
- civil procedure

PRACTICE AREAS

- civil procedure
- admiralty

QUESTIONS PRESENTED

1. Whether the court may sua sponte require the plaintiff to show cause why the action should not be dismissed for lack of prosecution.
2. Whether the plaintiff's failure to seek entry of default after the defendant failed to answer warranted an order requiring the plaintiff either to seek default or dismiss the complaint.

HOLDINGS

1. A federal district court has inherent authority to dismiss an action for lack of prosecution on its own motion and may require the plaintiff to show cause why dismissal should not occur.
2. Because the defendant had not answered, the plaintiff could satisfy the order to show cause by seeking entry of default under Federal Rule of Civil Procedure 55(a) or by dismissing the complaint.

KEY QUOTATIONS

“Court has inherent power to dismiss for lack of prosecution on its own motion”

“Failure to respond will be deemed consent to the dismissal of the action.”

FACTUAL BACKGROUND

The complaint was pending in the Central District of California. Defendant Princess Cruise Lines Ltd. had not answered the complaint, and plaintiff had not requested entry of default. The court therefore issued an order to show cause concerning possible dismissal for lack of prosecution.

PROCEDURAL HISTORY

Princess Cruise Lines Ltd. had not answered the complaint. The plaintiff had not sought entry of default under Federal Rule of Civil Procedure 55(a). The court sua sponte ordered the plaintiff to show cause in writing by January 23, 2026, why the action should not be dismissed for lack of prosecution.

DISPOSITION

other

CASES CITED

- Link v. Wabash R. Co., 370 U.S. 626 (1962)

OPINION

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES - GENERAL Case No.: 2:25-cv-11759-SVW-MAR Date: January 14, 2026 Title: Marie Cassano v. Princess Cruise Lines Ltd. et al Present: The Honorable STEPHEN V. WILSON, United States District Judge Daniel Tamayo N/A Deputy Clerk Court Reporter Attorney(s) Present for Plaintiff(s): Attorney(s) Present for Defendant(s): None Appearing None Appearing Proceedings: [In Chambers] Order To Show Cause Re: Dismissal for Lack of Prosecution

Plaintiff(s) are ORDERED to show cause why this case should not be dismissed for lack of prosecution.

Link v. Wabash R. Co., 370 U.S. 626 (1962) (Court has inherent power to dismiss for lack of prosecution on its own motion). The below time period(s) has not been met. Accordingly, the Court, on its own motion, orders Plaintiff(s) to show cause, in writing, on or before January 23, 2026, why this action should not be dismissed for lack of prosecution. This matter will stand submitted upon the filing of Plaintiff(s) response.

See Fed. R. Civ. P. 78. Failure to respond will be deemed consent to the dismissal of the action. ☒ Defendant(s) Princess Cruise Lines Ltd. did not answer the complaint, yet Plaintiff(s) have failed to request entry of default, pursuant to Fed. R. Civ. P. 55(a). Plaintiff(s) can satisfy this order by seeking entry of default or by dismissing the complaint. IT IS SO ORDERED.