

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Terrell Moreno Jones v. San Diego Sheriff's Dep't

Jones · No. 25-cv-00779-BAS-KSC · Decided October 30, 2025

SUMMARY

The United States District Court for the Southern District of California dismissed Terrell Moreno Jones’s pro se civil rights action under 42 U.S.C. § 1983. The court dismissed the action with prejudice for failure to state a claim and failure to prosecute after Jones did not file an amended complaint as ordered, and certified that an appeal in forma pauperis would not be taken in good faith.

OPINION

Jones

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA

10 11 TERRELL MORENO JONES, Case No. 25-cv-00779-BAS-KSC 12 Plaintiff,

ORDER DISMISSING CIVIL

13 v. ACTION PURSUANT TO 28 U.S.C. §

1915(e)(2)(B)(ii) AND § 1915A(b)(1)

14 SAN DIEGO SHERIFF’S DEP’T,

AND FOR FAILING TO

15 Defendant. PROSECUTE IN COMPLIANCE

WITH COURT ORDER REQUIRING

16

AMENDMENT

17 18 Plaintiff Terrell Moreno Jones, a detainee proceeding pro se, has filed a civil rights 19
complaint pursuant to 42 U.S.C. § 1983, along with a motion to proceed in forma pauperis 20
 (“IFP”). (See ECF Nos. 1, 2.) 21 On August 5, 2025, the Court granted Jone’s IFP motion and
dismissed the case 22 without prejudice and with leave to amend pursuant to 28 U.S.C. §§ 1915(e)
(2)(B)(ii), § 23 1915A(b)(1). (ECF No. 5.) Jones was given until October 4, 2025, to file a First
Amended 24 Complaint that cured the pleading deficiencies outlined in the August 5, 2025 Order.
(Id.) 25 To date, Jones has not filed an amended complaint nor requested an extension of 26 time.
“The failure of the plaintiff eventually to respond to the court’s ultimatum—either by 27
amending the complaint or by indicating to the court that [he] will not do so—is properly 28 1 ||

met with the sanction of a Rule 41(b) dismissal.” Edwards v. Marin Park, 356 F.3d 1058, 2 || 1065 (9th Cir. 2004). 3 The Court DISMISSES this civil action WITH PREJUDICE, for Plaintiffs failure 4 state a claim upon which § 1983 relief can be granted and for his failure to prosecute as 5 ||required by Court’s August 5, 2025 Order. The Court further CERTIFIES that an IFP 6 || appeal would not be taken in good faith pursuant to 28 U.S.C. § 1915(a)(3) and DIRECTS 7 || the Clerk to enter a final judgment of dismissal and close the file. 8 IT IS SO ORDERED. 9 ~ 10 || DATED: October 30, 2025 (yi. (Doha H n. Cynthia Bashant, Chief Judge United States District Court 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28