

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

**Tarrence Woodard v. California Department of Corrections and
Rehabilitation, et al.**

No. 2:25-cv-2433 CKD P · No. No. 2:25-cv-2433 CKD P · Decided November 21, 2025

SUMMARY

The magistrate judge recommends dismissing the action without prejudice because the plaintiff failed to file a second amended complaint by the court-ordered deadline. The document also orders assignment of a district judge and explains the procedure and deadline for filing objections to the findings and recommendations.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	November 21, 2025
DOCKET	No. 2:25-cv-2433 CKD P
DISPOSITION	other
PROCEDURAL POSTURE	After plaintiff's amended complaint was dismissed with leave to amend, plaintiff failed to file a required second amended complaint. A magistrate judge issued findings and recommendations recommending dismissal without prejudice and ordered the Clerk to assign a district judge.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Tarrence Woodard v. California Department of Corrections and Rehabilitation, et al.

TOPICS

- pleadings
- civil procedure

PRACTICE AREAS

- civil procedure
- civil rights

QUESTIONS PRESENTED

1. Whether the action should be dismissed without prejudice after plaintiff failed to file a second amended complaint by the court-ordered deadline.

KEY QUOTATIONS

“Accordingly, *IT IS HEREBY RECOMMENDED* that this action be dismissed without prejudice.” (at 1)

FACTUAL BACKGROUND

Plaintiff's amended complaint had been dismissed with leave to amend. Plaintiff was required to file a second amended complaint by November 10, 2025, but did not do so.

PROCEDURAL HISTORY

On October 8, 2025, plaintiff's amended complaint was dismissed with leave to amend. The second amended complaint was due November 10, 2025, but plaintiff did not file it. The magistrate judge therefore recommended dismissal without prejudice under Federal Rule of Civil Procedure 41(b) and Local Rule 110, subject to objections and review by the assigned district judge.

DISPOSITION

other

CASES CITED

- Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991)

OPINION

CDCR

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10

11 TARRENCE WOODARD, No. 2:25-cv-2433 CKD P

12 Plaintiff, 13 v.

14 CALIFORNIA DEPARTMENT OF ORDER AND

CORRECTIONS AND

15 REHABILITATION, et al., FINDINGS AND RECOMMENDATIONS

16 Defendants. 17

18 On October 8, 2025, plaintiff’s amended complaint was dismissed with leave to amend. 19 The second amended complaint was due on November 10, 2025, and plaintiff has not filed a 20 second

amended complaint. 21 Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court assign a district 22 court judge to this case; and 23 IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See 24 Local Rule 110; Fed. R. Civ. P. 41(b). 25 These findings and recommendations are submitted to the United States District Judge 26 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days 27 after being served with these findings and recommendations, plaintiff may file written objections 28 with the court. The document should be captioned “Objections to Magistrate Judge’s Findings 1 | and Recommendations.” Plaintiff is advised that failure to file objections within the specified 2 || time waives the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th 3 || Cir. 1991). 4 || Dated: November 21, 2025 Card Kt | (£4 (g—
6 UNITED STATES MAGISTRATE JUDGE
7 8 9} 1 10 wood2433.fta 1] 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28