

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Justin A. Kurpiel v. Dr. Avram and Doe Director of Nursing

Kurpiel · No. 2:24-cv-00203-RFB-BNW · Decided December 29, 2025

SUMMARY

The United States District Court for the District of Nevada dismisses Justin A. Kurpiel’s 42 U.S.C. § 1983 action without prejudice. The court concludes that Kurpiel failed to file an amended complaint as ordered, failed to update his mailing address, and failed to state a claim, and it directs the Clerk to enter judgment and close the case.

CASE DETAILS

COURT	United States District Court for the District of Nevada
WRITING FOR THE COURT	Richard F. Boulware, II
JURISDICTION	United States District Court for the District of Nevada
DECIDED	December 29, 2025
DOCKET	2:24-cv-00203-RFB-BNW
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court dismissed a pro se prison civil-rights action without prejudice after the plaintiff failed to file an amended complaint by the court-ordered deadline, failed to request an extension or otherwise respond, and failed to maintain a current mailing address.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- sanctions
- pleadings
- section 1983
- civil procedure

PRACTICE AREAS

- Civil procedure
- Civil rights
- Prisoner litigation
- Federal courts

QUESTIONS PRESENTED

- Whether the action should be dismissed for failure to comply with the court's order requiring an amended complaint.

2. Whether dismissal was warranted under the Ninth Circuit's five-factor framework governing dismissal for failure to prosecute or failure to obey a court order.
3. Whether another deadline or other lesser sanction constituted a meaningful alternative to dismissal.

HOLDINGS

1. A district court may dismiss an action when a party fails to obey a court order, and Kurpiel's failure to file the required amended complaint justified dismissal without prejudice.
2. The public interest in expeditious resolution, the court's need to manage its docket, the presumption of prejudice from unreasonable delay, and the inadequacy of lesser alternatives outweighed the policy favoring resolution on the merits.

KEY QUOTATIONS

“District courts have the inherent power to control their dockets and “[i]n the exercise of that power, they may impose sanctions including, where appropriate . . . dismissal” of a case.” (at 2)

“Courts “need not exhaust every sanction short of dismissal before finally dismissing a case, but must explore possible and meaningful alternatives.”” (at 3)

“The reality of repeating an ignored order is that it often only delays the inevitable and squanders the Court’s finite resources.” (at 3)

“IT IS THEREFORE ORDERED that this action is DISMISSED without prejudice based on Kurpiel’s failure to file an amended complaint in compliance with this Court’s May 14, 2025, order and for failure to state a claim.” (at 3)

FACTUAL BACKGROUND

Justin Kurpiel asserted constitutional claims under 42 U.S.C. § 1983 based on alleged events at High Desert State Prison. The court ordered him to file an amended complaint by June 12, 2025, and expressly warned that failure to comply could result in dismissal. He did not file an amended complaint, request additional time, or otherwise respond, and court mail was returned because he had not updated his address after leaving incarceration.

PROCEDURAL HISTORY

Kurpiel brought an action under 42 U.S.C. § 1983 concerning alleged constitutional violations while he was incarcerated. On May 14, 2025, the court ordered him to file an amended complaint by June 12, 2025, and warned that failure to do so could result in dismissal. Kurpiel did not amend, seek an extension, or respond; he was also no longer incarcerated and had not updated his mailing address. The court dismissed the action without prejudice and directed the clerk to enter judgment and close the case.

DISPOSITION

dismissed

CASES CITED

- Thompson v. Hous. Auth. of City of Los Angeles, 782 F.2d 829, 831 (9th Cir. 1986)
- Carey v. King, 856 F.2d 1439, 1440-41 (9th Cir. 1988)
- Malone v. U.S. Postal Service, 833 F.2d 128, 130 (9th Cir. 1987)
- In re Phenylpropanolamine Prod. Liab. Litig., 460 F.3d 1217, 1226 (9th Cir. 2006)
- Anderson v. Air West, 542 F.2d 522, 524 (9th Cir. 1976)
- Yourish v. Cal. Amplifier, 191 F.3d 983, 992 (9th Cir. 1999)
- Pagtalunan v. Galaza, 291 F.3d 639, 643 & n.4 (9th Cir. 2002)
- Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986)

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