

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Matthew Chapman v. United States Forest Service

Chapman · No. 1:22-cv-01531-BAM · Decided December 23, 2025

SUMMARY

The United States District Court for the Eastern District of California dismissed Matthew Chapman’s action against the United States Forest Service with prejudice. The court found that Chapman failed to obey orders requiring him to file a Second Amended Complaint or notice of dismissal and failed to state a claim, after considering the applicable dismissal factors.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Barbara A. McAuliffe
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 23, 2025
DOCKET	1:22-cv-01531-BAM
DISPOSITION	dismissed
PROCEDURAL POSTURE	After dismissing the claims in Plaintiff's First Amended Complaint and granting limited leave to amend, the court dismissed the action with prejudice because Plaintiff failed to file either a Second Amended Complaint or a notice of dismissal as ordered.
STANDARD OF REVIEW	The court applied the Ninth Circuit's five-factor framework for dismissal as a sanction for failure to obey court orders or comply with local rules: the public interest in expeditious resolution, the court's need to manage its docket, prejudice to the defendant, the policy favoring disposition on the merits, and the availability of less drastic sanctions.
PRECEDENTIAL VALUE	unpublished
PARTIES	Matthew Chapman v. United States Forest Service

TOPICS

- sanctions
- civil procedure
- pleadings
- motions to dismiss
- appellate procedure

PRACTICE AREAS

civil procedure

appellate procedure

sanctions

pleadings

QUESTIONS PRESENTED

1. Whether the court could dismiss the action with prejudice for Plaintiff's failure to obey orders requiring him either to amend his complaint or file a notice of dismissal.
2. Whether the Ninth Circuit's five-factor dismissal framework supported dismissal with prejudice under the circumstances.
3. Whether Plaintiff's failure to amend also warranted dismissal for failure to state a claim.

HOLDINGS

1. A district court may use its inherent power and Local Rule 110 to dismiss an action with prejudice when a party fails to obey court orders or comply with applicable local rules.
2. Dismissal with prejudice was warranted because the five relevant factors, including docket management, prejudice, the limited remaining merits issue, and the availability of lesser sanctions, weighed in favor of dismissal, while the merits policy did not overcome Plaintiff's repeated noncompliance.
3. The action was also properly dismissed for failure to state a claim because Plaintiff did not file the permitted amendment alleging facts sufficient to state a claim concerning the alleged fourth permit.

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.”” (at 1)

“The fact that the Court allowed Plaintiff an additional twenty-one days to amend his complaint constitutes an attempt at a less drastic sanction than dismissal.” (at 2)

FACTUAL BACKGROUND

Plaintiff failed to file either a Second Amended Complaint or a notice of dismissal after being ordered to do so within twenty-one days. The court had warned Plaintiff that failure to comply would result in dismissal with prejudice. Plaintiff also failed to comply with a second order issued after the Ninth Circuit dismissed his premature appeal, and he did not otherwise communicate with the court.

PROCEDURAL HISTORY

Plaintiff initiated the action on November 29, 2022, and proceeded pro se and in forma pauperis. The court granted Defendant's motion to dismiss the First Amended Complaint in part and denied it in part, allowing amendment only as to an alleged fourth permit. Plaintiff did not amend or voluntarily dismiss within the ordered deadline. The Ninth Circuit dismissed Plaintiff's interlocutory appeal for lack of jurisdiction, and after the mandate issued, the district court again ordered Plaintiff to amend or dismiss. Plaintiff again failed to comply, leading to this dismissal with prejudice.

DISPOSITION

dismissed

CASES CITED

- Thompson v. Hous. Auth., 782 F.2d 829, 831 (9th Cir. 1986)
- Ghazali v. Moran, 46 F.3d 52, 53-54 (9th Cir. 1995)
- Ferdik v. Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992)
- Malone v. U.S. Postal Serv., 833 F.2d 128, 130-33 (9th Cir. 1987)
- Henderson v. Duncan, 779 F.2d 1421, 1423 (9th Cir. 1986)
- Carey v. King, 856 F.2d 1439, 1440 (9th Cir. 1988)
- Harrison v. Hernandez, 2022 WL 17722349, at *1-*2 (E.D. Cal. Dec. 15, 2022)
- Anderson v. Air W., 542 F.2d 522, 524 (9th Cir. 1976)
- Pagtalunan v. Galaza, 291 F.3d 639, 643 (9th Cir. 2002)
- In re Phenylpropanolamine (PPA) Prods. Liab. Litig., 460 F.3d 1217, 1228 (9th Cir. 2006)
- Gastelum v. Petco Animal Supplies Stores, Inc., 2022 WL 17822092, at *2 (E.D. Cal. Dec. 20, 2022)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 MATTHEW CHAPMAN, Case No. 1:22-cv-01531-BAM 12 Plaintiff,
ORDER DISMISSING ACTION, WITH PREJUDICE, FOR FAILURE TO STATE A 13 v. CLAIM
AND FAILURE TO OBEY COURT ORDER 14 UNITED STATES FOREST SERVICE, 15
Defendant. 16 I. Background 17 Plaintiff Matthew Chapman (“Plaintiff”), proceeding pro se and
in forma pauperis, 18 initiated this action on November 29, 2022.

(Doc. 1.) On July 28, 2025, the Court issued an 19 order granting in part and denying in part
Defendant United States Forest Service’s (“Defendant”) 20 motion to dismiss the First Amended
Complaint. (Doc. 30.) The Court granted leave to amend 21 only to the extent that Plaintiff is able
to allege facts sufficient to state a claim regarding the 22 supposed “fourth permit” identified in his
Opposition.

(Docs. 27 at 3, 30.) Plaintiff was ordered 23 to either file a Second Amended Complaint or a notice
of dismissal within twenty-one days from 24 the date of service of the Order. (Doc. 30 at 22.)
Plaintiff was warned that failure to timely file 25 either document would result in dismissal of this
case, with prejudice, for failure to comply with a 26 Court order and failure to state a claim.

(Id.) The deadline to file either document expired and 27 Plaintiff did not file either a Second
Amended Complaint or a notice of dismissal. 28 1 On September 3, 2025, Plaintiff filed a notice
of appeal to the United States Court of 2 Appeals for the Ninth Circuit. (Doc. 31.)

On September 29, 2025, the Ninth Circuit dismissed the appeal on the grounds that the District Court's dismissal order is not final or immediately appealable and as a result the Ninth Circuit lacked jurisdiction over the appeal. (Doc. 34.)

On November 21, 2025, the Ninth Circuit issued the formal mandate pursuant to Rule 41(a) of the 6 Federal Rules of Appellate Procedure. (Doc. 35.) On November 24, 2025, the Court again ordered Plaintiff to file either a Second Amended Complaint relating only to the facts regarding the supposed "fourth permit" identified in Plaintiff's Opposition or file a notice of dismissal within twenty-one days from the date of service of the order.

(Doc. 36.) Plaintiff was warned again that failure to comply with this order will result in dismissal. (Id. at 2.) Plaintiff has not filed a Second Amended Complaint or otherwise communicated with the Court, and the deadline to do so has expired. II. Legal Standard Local Rule 110 provides that "[f]ailure... of a party to comply with these Rules or with any order of the Court may be grounds for imposition by the Court of any and all sanctions...

within the inherent power of the Court." 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." *Thompson v. Hous. Auth.*, 782 F.2d 829, 831 (9th Cir. 1986). A court may dismiss an action, with prejudice, based on a party's failure to obey a court order or failure to comply with local rules.

See, e.g., *Ghazali v. Moran*, 46 F.3d 52, 53–54 (9th Cir. 1995) (dismissal for noncompliance with local rule); *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260–61 (9th Cir. 1992) (dismissal for failure to comply with an order requiring amendment of complaint); *Malone v. U.S. Postal Serv.*, 833 F.2d 128, 130–33 (9th Cir. 1987) (dismissal for failure to comply with court order).

In determining whether to dismiss an action, the Court must consider several factors: (1) the public's interest in expeditious resolution of litigation; (2) the Court's need to manage its docket; (3) the risk of prejudice to the defendant; (4) the public policy favoring disposition of cases on their merits; and (5) the availability of less drastic sanctions.

Henderson v. Duncan, 779 F.2d 1421, 1423 (9th Cir. 1986); *Carey v. King*, 856 F.2d 1439, 1440 (9th Cir. 1988). III. Discussion Here, Plaintiff has failed to comply with the Court's orders to either file a Second Amended Complaint or a notice of dismissal. (Docs. 30, 36.)

The Court cannot effectively manage its docket if Plaintiff fails to follow the Court's orders. Thus, the Court finds that both the first and second factors weigh in favor of dismissal. *Harrison v. Hernandez*, No. 1:22-CV-01143-BAM-PC, 2022 WL 17722349, at *1 (E.D. Cal. Dec. 15, 2022), report and recommendation adopted, No. 1:22-CV-01143-ADA-BAM-PC, 2023 WL 2655769 (E.D.

Cal. 9 Mar. 27, 2023). 10 The third factor, risk of prejudice to Defendant, weighs in favor of dismissal, since a 11 presumption of injury arises from the occurrence of unreasonable delay in prosecuting an action. 12 *Anderson v. Air W.*, 542 F.2d 522, 524 (9th Cir. 1976).

The fourth factor usually weighs against 13 dismissal because public policy favors disposition on the merits. *Pagtalunan v. Galaza*, 291 F.3d 14 639, 643 (9th Cir. 2002). However, “this factor lends little support to a party whose 15 responsibility it is to move a case toward disposition on the merits but whose conduct impedes 16 progress in that direction,” which is the case here.

In re Phenylpropanolamine (PPA) Products 17 Liability Litigation, 460 F.3d 1217, 1228 (9th Cir. 2006) (citation omitted). Additionally, this 18 Court has already reviewed the merits of the action extensively in its ruling on Defendant’s 19 Motion to Dismiss the First Amended Complaint. (Doc. 30.)

The Court granted Defendant’s 20 Motion to Dismiss on all claims regarding the Forest Road Special Use (Temporary) Permit, the 21 Non-Federal Commercial Road Use Permit, and the Term Forest Road Special Use Permit, and 22 granted leave to amend only with regard to the purported fourth permit. (Id. at 1.) Plaintiff has 23 not filed an amended complaint to allege facts sufficient to state a claim regarding this supposed 24 fourth permit.

(Id. at 1-2.) This factor accordingly weighs in favor of dismissal. 25 The fifth factor weighs in favor of dismissal. The fact that the Court allowed Plaintiff an 26 additional twenty-one days to amend his complaint constitutes an attempt at a less drastic 27 sanction than dismissal. *Ferdik*, 963 F.2d at 1262. Both the Court’s July 28, 2025 and November 28 24, 2025 orders expressly warned Plaintiff that his failure to comply with the orders would result 1 in dismissal of the action.

(Docs. 30, 36.) Plaintiff had adequate warning that dismissal could 2 result from his noncompliance. *Harrison*, 2022 WL 17722349, at *2. Additionally, at this stage 3 in the proceedings there is little available to the Court that would constitute a satisfactory lesser 4 sanction while protecting the Court from further unnecessary expenditure of its scarce resources.

5 Plaintiff is proceeding in forma pauperis in this action, making monetary sanctions of little use, 6 and the preclusion of evidence or witnesses is likely to have no effect given that Plaintiff has 7 ceased litigating his case. *Id.*; *Gastelum v. Petco Animal Supplies Stores, Inc.*, No. 1:22-CV- 8 00792-BAM, 2022 WL 17822092, at *2 (E.D. Cal. Dec. 20, 2022).

9 IV. Order 10 Accordingly, the Court HEREBY ORDERS that this action be dismissed, with prejudice, 11 based on Plaintiff’s failure to obey court orders and failure to state a claim. The Clerk is directed 12 to close this case. 13 IT IS SO ORDERED. 14 15 Dated: December 23, 2025
/s/ Barbara A. McAuliffe _ UNITED STATES MAGISTRATE JUDGE 16 17 18 19 20 21 22 23
24 25 26 27 28

