

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Jose Luis Babin v. God Speed, et al.

Babin · No. 2:25-cv-01627-GMN-DJA · Decided January 7, 2026

SUMMARY

The United States District Court for the District of Nevada dismissed Jose Luis Babin’s case without prejudice after he failed to update his address as ordered. Applying the Ninth Circuit’s dismissal factors for failure to comply with a court order, the court concluded that dismissal was warranted because the action could not proceed without an updated address and no meaningful lesser alternative was available.

CASE DETAILS

COURT	United States District Court for the District of Nevada
WRITING FOR THE COURT	Gloria M. Navarro
JURISDICTION	United States District Court for the District of Nevada
DECIDED	January 7, 2026
DOCKET	2:25-cv-01627-GMN-DJA
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court dismissed the action without prejudice after Plaintiff failed to update his address as ordered and warned.
STANDARD OF REVIEW	A district court may dismiss an action for failure to comply with a court order after considering the five dismissal factors identified by the Ninth Circuit.
PRECEDENTIAL VALUE	Unknown

TOPICS

- sanctions
- civil procedure

PRACTICE AREAS

- civil procedure
- civil rights

QUESTIONS PRESENTED

1. Whether the district court could dismiss the action without prejudice because Plaintiff failed to comply with the court's order to update his address.
2. Whether the five-factor test for dismissal for failure to comply with a court order favored dismissal under the circumstances.

HOLDINGS

1. A district court may dismiss an action when a party fails to comply with a court order.
2. Dismissal without prejudice was warranted because the public interest in expeditious resolution, docket management, prejudice to Defendants, and the absence of a meaningful less-drastic alternative outweighed the policy favoring disposition on the merits.

KEY QUOTATIONS

“In determining whether to dismiss an action on this ground, the court must consider: (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 defendants, (4) the public policy favoring disposition of cases on their merits, and (5) the availability of less-drastic alternatives.” (at 1)

“Courts “need not exhaust every sanction short of dismissal before finally dismissing a case but must explore possible and meaningful alternatives.”” (at 2)

FACTUAL BACKGROUND

Jose Luis Babin filed this civil action and was required to maintain a current address on the docket. Mail sent to him was returned as undeliverable, and the court ordered him to update his address by a specified deadline. Babin failed to update his address, preventing the action from proceeding.

PROCEDURAL HISTORY

Plaintiff initiated the action on August 29, 2025. After mail to Plaintiff was returned as undeliverable, the court ordered him to update his address by December 29, 2025 and warned that failure to comply could result in dismissal. Plaintiff did not update his address, and the court dismissed the case without prejudice.

DISPOSITION

dismissed

CASES CITED

- *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260-61 (9th Cir. 1992)
- *In re Phenylpropanolamine Products Liability Litigation*, 460 F.3d 1217, 1226 (9th Cir. 2006)
- *Malone v. U.S. Postal Service*, 833 F.2d 128, 130 (9th Cir. 1987)
- *Anderson v. Air West*, 542 F.2d 522, 524 (9th Cir. 1976)
- *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986)

- Hernandez v. City of El Monte, 138 F.3d 393 (9th Cir. 1998)

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