

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Jessie Adams v. Sergio Jimenez

Adams v. Jimenez · No. CV-26-00042-TUC-BGM · Decided March 2, 2026

SUMMARY

The United States Magistrate Judge recommends dismissal without prejudice of Jessie Adams's pro se civil complaint because mail was returned as undeliverable twice and Plaintiff failed to provide a valid mailing address. The recommendation relies on court orders and local rules concerning returned mail, address updates, prosecution of claims, and dismissal for failure to comply with court orders. The parties are advised of the procedure and deadline for filing objections.

CASE DETAILS

COURT	United States District Court for the District of Arizona
WRITING FOR THE COURT	Bruce G. Macdonald
JURISDICTION	United States District Court for the District of Arizona
DECIDED	March 2, 2026
DOCKET	CV-26-00042-TUC-BGM
DISPOSITION	other
PROCEDURAL POSTURE	Report and recommendation by a United States magistrate judge recommending dismissal of a pro se complaint without prejudice because the plaintiff failed to maintain a valid mailing address and comply with the court's address-update requirements.
STANDARD OF REVIEW	The district judge is to conduct an independent review of the Report and Recommendation; failure to timely object may waive de novo review of factual or legal determinations.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- civil procedure
- sanctions

PRACTICE AREAS

- civil procedure
- federal courts

QUESTIONS PRESENTED

1. Whether the complaint should be dismissed without prejudice because Plaintiff failed to maintain a valid mailing address and comply with the court's address-update requirements.
2. Whether the magistrate judge should issue a Report and Recommendation rather than enter a final dismissal order because the parties had not fully consented to magistrate-judge jurisdiction.

HOLDINGS

1. The magistrate judge recommended that the complaint be denied and the action dismissed without prejudice because Plaintiff failed to maintain a valid mailing address and comply with the court's address-update requirements, preventing the action from being prosecuted.
2. Because the parties had not fully consented to magistrate-judge jurisdiction under 28 U.S.C. § 636(c)(1), the magistrate judge recommended disposition to the district judge rather than entering a final dismissal order.

KEY QUOTATIONS

“For the foregoing reasons, the Magistrate Judge recommends that the District Judge, after his independent review, issue an order DENYING Plaintiff’s Complaint (Doc. 1) and DISMISSING this case WITHOUT PREJUDICE.” (at 2)

“It is the Plaintiff’s duty to prosecute her claims” (at 1)

FACTUAL BACKGROUND

The Clerk's Office mailed court documents to Plaintiff's last-known address, but the mail was returned as undeliverable on two separate occasions. Plaintiff had been advised of her duty under the District of Arizona's local rules to provide notice of any change of address. The court therefore determined that it could not reliably communicate with Plaintiff and declined to reach the merits of the complaint or in forma pauperis application.

PROCEDURAL HISTORY

Plaintiff filed a civil complaint and an application to proceed without prepaying fees or costs on January 22, 2026. Court mail was returned as undeliverable twice, and the docket showed no valid mailing address or filed change-of-address notice. Because the magistrate judge lacked full consent jurisdiction under 28 U.S.C. § 636(c)(1), the judge issued a Report and Recommendation to the district judge, recommending denial of the complaint and dismissal without prejudice, subject to objections under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b)(2).

DISPOSITION

other

CASES CITED

- *Fid. Phila. Tr. Co. v. Pioche Mines Consol., Inc.*, 587 F.2d 27, 29 (9th Cir. 1978)

- *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260 (9th Cir. 1992)

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