

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Will Robinson, III v. Vallejo CA Police Dept., et al.

Robinson · No. 2:24-cv-03194-TLN-CSK · Decided July 1, 2025

OPINION

(PS) Robinson v. Vallejo CA

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 WILL ROBINSON, III, Case No. 2:24-cv-03194-TLN-CSK 12 Plaintiff,

13 v. ORDER TO SHOW CAUSE

14 VALLEJO CA POLICE DEPT., et al., 15 Defendants. 16 17 Plaintiff Will Robinson, III, is
proceeding in this action pro se. 1 On April 14, 2025, 18 the Court issued an order denying
Plaintiff's request for leave to proceed in forma 19 pauperis ("IFP") and granted Plaintiff thirty
(30) days to submit a new IFP request on a 20 proper form. (ECF No. 10.) This order was mailed
to Plaintiff by mail. However, on May 21 5, 2025, the mail returned as undeliverable. To date,
Plaintiff has not submitted a new 22 IFP request or updated his address with the Court. 23 A
district court may impose sanctions, including involuntary dismissal of a 24 plaintiff's case
pursuant to Federal Rule of Civil Procedure 41(b), where the plaintiff fails 25 to prosecute his or
her case or fails to comply with the court's orders, the Federal Rules 26 of Civil Procedure, or the
court's local rules. See *Chambers v. NASCO, Inc.*, 501 U.S. 27 1 This matter proceeds before the
undersigned pursuant to 28 U.S.C. § 636, Fed. R. 28 Civ. P. 72, and Local Rule 302(c)(21). 1 32,
44 (1991) (recognizing that a court "may act sua sponte to dismiss a suit for failure to 2
prosecute"); *Hells Canyon Preservation Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 3 (9th Cir.
2005) (approving sua sponte dismissals under Rule 41(b)); *Ferdik v. Bonzelet*, 4 963 F.2d 1258,
1260 (9th Cir. 1992), as amended (9th Cir. 1992) ("Pursuant to Federal 5 Rule of Civil Procedure
41(b), the district court may dismiss an action for failure to 6 comply with any order of the
court."). This Court's Local Rules are in accord. See E.D. 7 Cal. Local Rule 110 ("Failure of
counsel or of a party to comply with these Rules or with 8 any order of the Court may be grounds
for imposition by the Court of any and all 9 sanctions authorized by statute or Rule or within the
inherent power of the Court."); E.D. 10 Cal. Local Rule 183(a) (providing that a pro se party's
failure to comply with the Federal 11 Rules of Civil Procedure, the court's Local Rules, and other
applicable law may support, 12 among other things, dismissal of that party's action). 13 The Court
has considered whether this action should be dismissed at this juncture 14 due to Plaintiffs' failure

to file an IFP request on a proper form as ordered by the Court 15 and for failure to notify the Court of his current address. As noted above, Plaintiff's copy 16 of the Court's last order was returned as undeliverable. Despite such return, Plaintiff was 17 properly served. Pursuant to Local Rule 182(f), service of documents at the record 18 address of the party is fully effective. It is the Plaintiff's responsibility to keep the Court 19 apprised of his current address at all times. It appears that Plaintiff has failed to comply 20 with Local Rule 183(b), which provides that: 21 A party appearing in propria persona shall keep the Court and opposing parties advised as to his or her current address. If 22 mail directed to a plaintiff in propria persona by the Clerk is returned by the U.S. Postal Service, and if such plaintiff fails to 23 notify the Court and opposing parties within thirty (30) days thereafter of a current address, the Court may dismiss the 24 action without prejudice for failure to prosecute. 25 Nevertheless, in light of Plaintiff's pro se status, the Court first attempts lesser 26 sanctions by issuing this order to show cause. Plaintiff has twenty-one (21) days to 27 respond to this order to show cause and file an IFP request on a proper form and 28 provide a current address. Plaintiff is cautioned that failure to respond to this order will 1 || result in a recommendation to dismiss this action for failure to prosecute. 2 | Dated: 07/01/25 ve - S\$. 3 op WL

4 UNITED STATES MAGISTRATE JUDGE

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