

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Mark A. Jones v. Senogor, et al.

Jones v. Senogor · No. 2:17-cv-1422 DC AC P · Decided December 29, 2025

OPINION

Senogor

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 MARK A. JONES, No. 2:17-cv-1422 DC AC P 12 Plaintiff,

13 v. FINDINGS AND RECOMMENDATIONS

14 SENOGOR, et al., 15 Defendants. 16 17 Plaintiff is a former state prisoner proceeding pro se
with a civil rights action pursuant to 18 42 U.S.C. § 1983. By order filed September 24, 2025,
plaintiff was ordered to appear at the

19 November 5, 2025 hearing on his former counsel’s motion to withdraw as counsel and was

20 cautioned that failure to appear would result in a recommendation that this action be dismissed
for 21 failure to prosecute. ECF No. 90. Plaintiff was further directed to contact the undersigned’s

22 courtroom deputy to either provide an email address for receipt of Zoom information or request

23 an in-person hearing. Id. After plaintiff failed to contact the court and did not appear at the 24

hearing, he was ordered to show cause why this action should not be dismissed for failure to 25

prosecute and cautioned that failure to respond would result in a recommendation that this action

26 be dismissed without further warning. ECF No. 93. The time to respond has now expired, and

27 plaintiff has not filed a response to the order to show cause or otherwise responded to the

court’s 28 order.] In recommending this action be dismissed for failure to prosecute, the court has

2 || considered “(1) the public’s interest in expeditious resolution of litigation; (2) the court’s need

to 3 || manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring

4 | disposition of cases on their merits; and (5) the availability of less drastic alternatives.” Ferdik

v. 5 || Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (citation omitted). Because this case

cannot 6 || move forward without plaintiffs participation, the court finds the factors weigh in favor

of 7 || dismissal. 8 Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed

without 9 || prejudice pursuant to Federal Rule of Civil Procedure 41(b). 10 These findings and

recommendations are submitted to the United States District Judge 11 || assigned to the case,

pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days 12 | after being served

with these findings and recommendations, any party may file written 13 || objections with the

court and serve a copy on all parties. Such a document should be captioned 14 | “Objections to
Magistrate Judge’s Findings and Recommendations.” Any response to the 15 || objections shall be
served and filed within fourteen days after service of the objections. The 16 || parties are advised
that failure to file objections within the specified time may waive the right to 17 || appeal the
District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991). 18 | DATED: December 29,
2025 * 19 ththienr—Chnp—e_

ALLISON CLAIRE

20 UNITED STATES MAGISTRATE JUDGE

21 22 23 24 25 26 27 28