

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Jacqueline Coleman v. County of Sacramento, et al.

Coleman · No. 2:24-cv-2373 KJM SCR (PS) · Decided August 4, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted in part the magistrate judge's findings and recommendations. The court dismissed the action without prejudice because the plaintiff failed to pay the filing fee or submit a required in forma pauperis application, and directed the clerk to close the case.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 JACQUELINE COLEMAN, No. 2:24-cv-2373 KJM SCR (PS) 12 Plaintiff,
13 v. ORDER 14 COUNTY OF SACRAMENTO, et al., 15 Defendants. 16 17 Plaintiff is
proceeding pro se in this matter, which was referred to the magistrate judge 18 under Local Rule
302(c)(21) and 28 U.S.C. § 636(b)(1).

19 On June 16, 2025, the magistrate judge filed findings and recommendations, which were 20
served on plaintiff and which contained notice to plaintiff that any objections to the findings and
21 recommendations were to be filed within fourteen (14) days. See ECF No. 2. Plaintiff has not
22 filed objections to the findings and recommendations. 23 The court presumes that any findings
of fact are correct.

See *Orand v. United States*, 24 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's
conclusions of law are reviewed de 25 novo. See *Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir.
2007) (“[D]eterminations of law by 26 the magistrate judge are reviewed de novo by both the
district court and [the appellate] court 27....”).

Having reviewed the file, the court finds the findings and recommendations to be 28 supported by
the record and by the proper analysis. However, the court notes the case the 1 || magistrate judge
found to be duplicative of this case, *Coleman v. County of Sacramento et al.*, 2 || No. 23-2677-DC-
CKD (Coleman I), was dismissed without prejudice on July 17, 2025, and 3 || judgment was
entered, see *Coleman I*, ECF Nos. 24-25.

The court therefore only dismisses this 4 | action for plaintiff's failure to pay the required filing
fee, see 28 U.S.C. 1914(a), and for failure to 5 || complete the required in forma pauperis (“IFP”) application,
see 28 U.S.C. §1915(a)(1) (requiring 6 | aplaintiff to “submit an affidavit that includes

a statement of all assets... that the person is 7 || unable to pay such fees or give security therefor”); Olivares v. Marshall, 59 F.3d 109, 112 8 | (9th Cir.

1995) (upholding district court’s authority to dismiss a complaint without prejudice for 9 || failure to pay filing fee). 10 Accordingly, IT IS HEREBY ORDERED that: 11 1. The findings and recommendations filed June 16, 2025, are adopted in part. 12 2. This action is dismissed without prejudice because plaintiff has failed to pay the filing 13 | fee or submit an IFP application.

14 3. The clerk of the court is directed to close this case. 15 This order resolves ECF No. 2. 16 IT IS SO ORDERED. 17 | DATED: August 1, 2025. 19 □ □ □ STATES DISTRICT JUDGE 20 21 22 23 24 25 26 27 28