

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.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	August 4, 2025
DOCKET	2:24-cv-2373 KJM SCR (PS)
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's findings and recommendations after plaintiff failed to file objections, and adopted them in part.
STANDARD OF REVIEW	The district court presumed the magistrate judge's factual findings correct and reviewed the magistrate judge's legal conclusions de novo.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- civil procedure
- motions to dismiss

PRACTICE AREAS

- civil procedure
- civil rights

QUESTIONS PRESENTED

- Whether the district court should adopt the magistrate judge's findings and recommendations when plaintiff filed no objections.

2. Whether the action should be dismissed for plaintiff's failure to pay the required filing fee or submit a completed in forma pauperis application.
3. Whether dismissal should also be based on duplicative litigation after the previously identified duplicative action had already been dismissed.

HOLDINGS

1. The district court presumed the magistrate judge's factual findings correct and reviewed the legal conclusions de novo.
2. A civil action may be dismissed without prejudice when the plaintiff neither pays the required filing fee nor submits the required in forma pauperis application.
3. The court did not dismiss this action as duplicative because the previously identified duplicative action had already been dismissed without prejudice.

KEY QUOTATIONS

"This action is dismissed without prejudice because plaintiff has failed to pay the filing fee or submit an IFP application." (at 1)

FACTUAL BACKGROUND

Plaintiff filed this action without paying the required filing fee and without completing the required in forma pauperis application. The magistrate judge also identified a prior action, *Coleman v. County of Sacramento et al.*, No. 23-2677-DC-CKD, as duplicative, but that prior action was dismissed without prejudice before the district court entered this order. Plaintiff did not object to the magistrate judge's findings and recommendations.

PROCEDURAL HISTORY

Plaintiff proceeded pro se, and the matter was referred to a magistrate judge under 28 U.S.C. § 636(b)(1) and Local Rule 302(c)(21). The magistrate judge issued findings and recommendations on June 16, 2025, recommending dismissal. Plaintiff filed no objections. The district court found the findings and recommendations supported by the record and proper analysis, but modified the dismissal rationale because the action previously identified as duplicative had already been dismissed without prejudice.

DISPOSITION

dismissed

CASES CITED

- *Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979)
- *Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007)
- *Olivares v. Marshall*, 59 F.3d 109, 112 (9th Cir. 1995)
- *Coleman v. County of Sacramento et al.*, No. 23-2677-DC-CKD

