

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF HAWAII

Jordan James Anger v. County of Hawaii, by and through Its
Corporation Counsel (Renee Schoen)

Anger · No. Civ. No. 26-00004 LEK-WRP · Decided April 20, 2026

SUMMARY

The United States District Court for the District of Hawaii dismissed Jordan James Anger’s civil rights complaint with prejudice after he failed to file an amended complaint by the court-ordered deadline. The court denied his application to proceed without prepaying fees or costs as moot and directed the Clerk’s Office to enter final judgment and close the case.

CASE DETAILS

COURT	United States District Court for the District of Hawaii
WRITING FOR THE COURT	Leslie E. Kobayashi
JURISDICTION	United States District Court for the District of Hawaii
DECIDED	April 20, 2026
DOCKET	Civ. No. 26-00004 LEK-WRP
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court dismissed the plaintiff's civil-rights complaint without prejudice and granted leave to amend by April 17, 2026. After the plaintiff neither amended the complaint nor requested an extension, the court dismissed the action with prejudice under Federal Rule of Civil Procedure 41(b), denied the pending fee-waiver application as moot, and directed the Clerk's Office to close the case.
STANDARD OF REVIEW	Abuse-of-discretion framework for dismissal under Federal Rule of Civil Procedure 41(b), including consideration of the five Dreith factors.
PRECEDENTIAL VALUE	Unpublished district court order; persuasive authority only.
PARTIES	Jordan James Anger v. County of Hawaii, by and through Its Corporation Counsel (Renee Schoen)

TOPICS

- motions to dismiss
- civil procedure
- section 1983
- sanctions

PRACTICE AREAS

civil procedure

civil rights

QUESTIONS PRESENTED

1. Whether the court could dismiss the complaint with prejudice under Federal Rule of Civil Procedure 41(b) after the plaintiff failed to amend by the court-ordered deadline or seek an extension.
2. Whether the plaintiff's application to proceed without prepaying fees or costs should be denied as moot after dismissal with prejudice.

HOLDINGS

1. A district court may dismiss an action with prejudice under Federal Rule of Civil Procedure 41(b) when the plaintiff fails to comply with a court order setting a deadline to file an amended complaint, provided the court considers the applicable dismissal factors.
2. The application to proceed without prepaying fees or costs should be denied as moot after the complaint was dismissed with prejudice and the case was closed.

KEY QUOTATIONS

“The claims in Anger’s Complaint, which this Court previously dismissed without prejudice, are DISMISSED WITH PREJUDICE.” (at 2)

“In light of the dismissal with prejudice, Anger’s Application is DENIED AS MOOT.” (at 2)

FACTUAL BACKGROUND

Anger filed a civil-rights complaint against the County of Hawaii and an application to proceed without prepaying fees or costs. The court previously dismissed the complaint without prejudice and set April 17, 2026, as the deadline for filing an amended complaint. Anger neither filed an amended complaint nor requested an extension, and he had not served the original complaint on the County.

PROCEDURAL HISTORY

On January 5, 2026, Anger filed a civil-rights complaint and an application to proceed without prepaying fees or costs. On February 17, 2026, the court dismissed the complaint without prejudice and allowed amendment by April 17, 2026. Anger did not file an amended complaint, seek an extension, or serve the original complaint. The court therefore dismissed the claims with prejudice, denied the application as moot, and directed entry of final judgment and closure of the case on May 5, 2026.

DISPOSITION

dismissed

CASES CITED

- *Yourish v. California Amplifier*, 191 F.3d 983, 988 (9th Cir. 1999)
- *Russel v. United States*, Case No. 21cv1029-LL-MDD, 2023 WL 2919319, at *3 (S.D. Cal. Apr. 12, 2023)
- *Dreith v. Nu Image, Inc.*, 648 F.3d 779, 788 (9th Cir. 2011)

OPINION

Anger

PER CURIAM.

UNITED STATES DISTRICT COURT

DISTRICT OF HAWAII

JORDAN JAMES ANGER, CIV. NO. 26-00004 LEK-WRP

Plaintiff, vs.

COUNTY OF HAWAII, BY AND THROUGH

ITS CORPORATION COUNCIL (RENEE

SCHOEN); Defendant.

ORDER: DISMISSING PLAINTIFF’S COMPLAINT FOR VIOLATION OF CIVIL RIGHTS WITH PREJUDICE; DENYING PLAINTIFF’S APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS AS MOOT; AND DIRECTING THE CLERK’S OFFICE TO CLOSE THE CASE

On January 5, 2026, pro se Plaintiff Jordan James Anger (“Anger”) filed a Complaint for Violation of Civil Rights (“Complaint”) and an Application to Proceed in District Court Without Prepaying Fees or Costs (“Application”). [Dkt. nos. 1, 2.] On February 17, 2026, this Court issued an order dismissing the Complaint without prejudice and reserving ruling on the Application (“2/17 Order”). [Dkt. no. 6.1] The 2/17 Order stated that, if Plaintiff chose to file an amended complaint, the deadline to do so was April 17, 2026. See *id.* at 18. As of the date of this Order, Anger has neither filed an amended complaint nor requested an extension of the filing

¹ The 2/17 Order is also available at 2026 WL 445807.

deadline. Because Anger has not identified any circumstance which constitutes good cause warranting an extension of the April 17, 2026 deadline, this Court has the discretion to dismiss the Complaint with prejudice and close the case. See *Yourish v. Cal. Amplifier*, 191 F.3d 983, 988 (9th Cir. 1999) (holding that the plaintiff’s failure to comply with a minute order setting forth the deadline to file the amended complaint gave the district court the discretion to dismiss the case under Fed. R. Civ. P. 41(b)),² superseded by statute on other grounds as recognized in *Russel v. United States*, Case No.: 21cv1029-LL- MDD, 2023 WL 2919319, at *3 (S.D. Cal. Apr. 12, 2023). After weighing the five dismissal factors set forth in *Dreith v. Nu Image, Inc.*, 648 F.3d 779, 788 (9th Cir. 2011),³ this Court finds that the public interest in the expeditious resolution of this 2 Federal Rule of Civil Procedure 41(b) states, in pertinent part: “If the plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it.” ³ The Ninth Circuit has identified five factors that a district court must consider

before dismissing a case . . . :

(1) the public's interest in expeditious

resolution of litigation; (2) the court's need to manage its docket; (3) the risk of prejudice to the other party; (4) the public policy favoring the disposition of cases on their merits; and

(5) the availability of less drastic sanctions.

Dreith, 648 F.3d at 788 (citation and internal quotation marks omitted). litigation and this Court's interest in managing the docket strongly outweigh the policy favoring the disposition of Anger's claims on the merits. Moreover, Defendant County of Hawai'i will not be prejudiced by the closure of the case because Anger did not serve the Complaint, and there are no less drastic alternatives available at this time. The claims in Anger's Complaint, which this Court previously dismissed without prejudice, are DISMISSED WITH PREJUDICE. In light of the dismissal with prejudice, Anger's Application is DENIED AS MOOT. This Court DIRECTS the Clerk's Office to enter final judgment and close the case on May 5, 2026. IT IS SO ORDERED. DATED AT HONOLULU, HAWAII, April 20, 2026. S qpewsh "ep, > /s/ Leslie E. Kobayashi Leslie E. Kobayashi » A Senior U.S. District Judge Qr & Cease"

JORDAN JAMES ANGER VS. CITY AND COUNTY OF HAWAII; CV 26-00004

LEK-WRP; ORDER: DISMISSING PLAINTIFF'S COMPLAINT FOR VIOLATION

OF CIVIL RIGHTS WITH PREJUDICE; DENYING PLAINTIFF'S APPLICATION

TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS AS

MOOT; AND DIRECTING THE CLERK'S OFFICE TO CLOSE THE CASE