

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Soraya Maria Rigor v. Sacramento Regional Transit, et al.

Rigor · No. 2:25-cv-00243-TLN-SCR · Decided June 26, 2025

SUMMARY

The United States District Court for the Eastern District of California ordered pro se Plaintiff Soraya Maria Rigor to show cause why the action should not be dismissed. The court noted that Plaintiff failed to file an amended complaint addressing defects identified in the prior screening order, including failure to state a claim, apparent untimeliness, and potential Heck v. Humphrey preclusion.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sean C. Riordan
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 26, 2025
DOCKET	2:25-cv-00243-TLN-SCR
DISPOSITION	other
PROCEDURAL POSTURE	Order to show cause issued after plaintiff failed to file an amended complaint within the time allowed by the court's screening order.
STANDARD OF REVIEW	Mandatory screening under 28 U.S.C. § 1915(e)(2); dismissal for failure to prosecute or comply with a court order may be recommended under Federal Rule of Civil Procedure 41(b) and Local Rule 110.
PRECEDENTIAL VALUE	Unpublished, nonprecedential district court order
PARTIES	Soraya Maria Rigor v. Sacramento Regional Transit, et al.

TOPICS

- pleadings
- civil procedure
- section 1983

PRACTICE AREAS

- civil procedure
- civil rights

QUESTIONS PRESENTED

1. Whether plaintiff should be ordered to show cause why the action should not be recommended for dismissal after failing to file an amended complaint addressing deficiencies identified in the court's screening order.

HOLDINGS

1. When a plaintiff fails to comply with an order granting time to amend a deficient complaint, the court may require the plaintiff to show cause why dismissal should not be recommended and may permit the plaintiff to cure the failure by filing a compliant amended complaint.

KEY QUOTATIONS

“Plaintiff shall show cause, in writing, within 14 days, why the failure to file an amended complaint should not result in a recommendation that this case be dismissed based on failure to state a claim.” (at 2)

FACTUAL BACKGROUND

Plaintiff filed a civil action and sought to proceed in forma pauperis. The court's screening order determined that the complaint failed to state a claim and appeared to be time-barred and barred by Heck v. Humphrey. Plaintiff did not file an amended complaint within the 30-day period provided by the court.

PROCEDURAL HISTORY

Plaintiff filed a complaint and an application to proceed in forma pauperis on January 17, 2025. The court screened the complaint under 28 U.S.C. § 1915(e)(2), found that it failed to state a claim and appeared time-barred and barred by Heck v. Humphrey, and granted plaintiff 30 days to amend. After more than 30 days passed without an amended complaint, the court ordered plaintiff to show cause within 14 days why the action should not be recommended for dismissal.

DISPOSITION

other

CASES CITED

- Heck v. Humphrey, 512 U.S. 477, 483–87 (1994)