

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

L.R. v. Robert Mueller, et al.

L.R. v. Mueller · No. 23-cv-03421-PHK · Decided August 18, 2025

SUMMARY

The United States District Court for the Northern District of California issued an order to show cause after the self-represented plaintiff failed to file an amended complaint or seek an extension by the court-ordered deadline. The court ordered the plaintiff to file an amended complaint or explain why the action should not be dismissed for failure to prosecute and failure to comply with court orders by September 18, 2025.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Peter H. Kang
JURISDICTION	United States District Court for the Northern District of California
DECIDED	August 18, 2025
DOCKET	23-cv-03421-PHK
DISPOSITION	other
PROCEDURAL POSTURE	Order to show cause issued after the pro se plaintiff failed to file an amended complaint by the court-ordered deadline or request an extension.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status unknown
PARTIES	L.R. v. Robert Mueller, et al.

TOPICS

- civil procedure
- pleadings
- administrative law

PRACTICE AREAS

- civil procedure
- social security

QUESTIONS PRESENTED

1. Whether the court may issue an order to show cause when a plaintiff fails to prosecute the action and fails to comply with a court order.
2. Whether plaintiff must file an amended complaint or explain why the action should not be dismissed by the stated deadline.

HOLDINGS

1. A federal district court possesses inherent authority, including under Federal Rule of Civil Procedure 41(b), to dismiss an action sua sponte when a plaintiff fails to prosecute or fails to comply with court orders.

KEY QUOTATIONS

“The Court possesses the inherent power to dismiss an action sua sponte if a plaintiff fails to prosecute their action or fails to comply with court orders.” (at 1)

“Accordingly, the Court herein ORDERS that, by no later than September 18, 2025, Plaintiff SHALL EITHER (1) file an amended complaint which addresses and cures the deficiencies noted by the Court’s June 9, 2025 Order, OR (2) file a written response to this Order to Show Cause explaining why this action should not be dismissed for failure to prosecute this case or for failure to comply with the Court’s directives and orders.” (at 1)

FACTUAL BACKGROUND

Plaintiff, proceeding without counsel, filed a complaint and sought in forma pauperis status. After screening, the court dismissed the complaint without prejudice for frivolousness and failure to state a claim, while allowing amendment by August 1, 2025. Plaintiff missed that deadline by more than two weeks, filed no amended complaint, and did not request additional time.

PROCEDURAL HISTORY

Plaintiff filed an initial complaint and an application to proceed in forma pauperis on July 7, 2023. The court granted in forma pauperis status on May 13, 2024, screened the complaint under 28 U.S.C. § 1915(e)(2)(B), and dismissed it without prejudice on June 9, 2025, granting leave to amend by August 1, 2025. After plaintiff failed to amend or seek an extension, the court issued this order to show cause and directed plaintiff to file an amended complaint or explain why the action should not be dismissed.

DISPOSITION

other

CASES CITED

- Link v. Wabash R.R. Co., 370 U.S. 626, 629-30 (1962)
- Yourish v. Cal. Amplifier, 191 F.3d 983, 987 (9th Cir. 1999)

