

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Henry Adams v. Solano State Prison, et al.

Adams · No. 2:24-cv-2802-JDP (P) · Decided December 4, 2025

SUMMARY

The United States District Court for the Eastern District of California recommends dismissal without prejudice of Henry Adams’s action against Solano State Prison and others. The recommendation is based on failure to state a claim, failure to prosecute, and failure to comply with orders requiring an amended complaint or notice of voluntary dismissal.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jeremy D. Peterson
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 4, 2025
DOCKET	2:24-cv-2802-JDP (P)
DISPOSITION	other
PROCEDURAL POSTURE	The magistrate judge issued findings and recommendations recommending dismissal without prejudice after plaintiff failed to file an amended complaint or notice of voluntary dismissal and failed to respond to an order to show cause.
STANDARD OF REVIEW	The court applied the Ninth Circuit's five-factor framework for dismissal as a sanction for failure to prosecute or comply with court orders.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Henry Adams v. Solano State Prison, et al.

TOPICS

- sanctions
- pleadings
- civil procedure

PRACTICE AREAS

- civil procedure
- civil rights

QUESTIONS PRESENTED

1. Whether the action should be dismissed without prejudice because plaintiff failed to prosecute, failed to comply with court orders, and failed to state a claim.
2. Whether the court's warning that noncompliance would result in dismissal satisfied the requirement to consider less drastic alternatives before imposing dismissal.

HOLDINGS

1. A court may dismiss an action when a party fails to prosecute, obey a court order, or comply with local rules, and the applicable factors supported recommending dismissal without prejudice in this case.
2. An express warning that failure to obey court orders will result in dismissal adequately supports dismissal as a sanction where the party then fails to comply.

KEY QUOTATIONS

“The court has the inherent power to control its docket and may, in the exercise of that power, impose sanctions where appropriate, including dismissal.” (at 1)

“I therefore find that the balance of factors weighs in favor of dismissal.” (at 2)

FACTUAL BACKGROUND

The court had previously dismissed Henry Adams's second amended complaint for failure to state a claim and gave him thirty days to file an amended complaint or voluntarily dismiss the action. Adams did neither and also failed to respond to a subsequent order to show cause warning that noncompliance would lead to dismissal. The court concluded that the relevant dismissal factors favored dismissal without prejudice.

PROCEDURAL HISTORY

The court screened and dismissed plaintiff's second amended complaint for failure to state a claim on July 30, 2025, and ordered him to file either an amended complaint or a notice of voluntary dismissal. After plaintiff failed to comply, the court issued an order to show cause on September 23, 2025, warning that noncompliance would result in a recommendation of dismissal. Plaintiff did not respond, so the magistrate judge recommended dismissal without prejudice for failure to state a claim, failure to prosecute, and failure to comply with court orders, subject to review by a district judge under 28 U.S.C. § 636(b)(1).

DISPOSITION

other

CASES CITED

- *Bautista v. Los Angeles County*, 216 F.3d 837, 841 (9th Cir. 2000)
- *Ghazali v. Moran*, 46 F.3d 52, 53-54 (9th Cir. 1995)
- *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260-62 (9th Cir. 1992)

- Carey v. King, 856 F.2d 1439, 1440-41 (9th Cir. 1988)
- Malone v. U.S. Postal Service, 833 F.2d 128, 130, 132-33 (9th Cir. 1987)
- Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986)
- Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998)
- Martinez v. Yist, 951 F.2d 1153 (9th Cir. 1991)

OPINION

Henry Adams v. Solano State Prison, et al.

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 HENRY ADAMS, Case No. 2:24-cv-2802-JDP (P) 12 Plaintiff,

13 v. ORDER; FINDINGS AND

RECOMMENDATIONS

14 SOLANO STATE PRISON, et al., 15 Defendants. 16 17 On July 30, 2025, I screened plaintiff's second amended complaint and dismissed it for 18 failure to state a claim. ECF No. 18. I ordered plaintiff to file, within thirty days, either an 19 amended complaint or a notice of voluntary dismissal of this action. Id. Plaintiff failed to 20 comply with that order. Therefore, on September 23, 2025, I ordered plaintiff to show cause why 21 this action should not be dismissed. ECF No. 19. I notified plaintiff that if he wished to continue 22 with this lawsuit, he must file an amended complaint. I also warned plaintiff that failure to 23 comply with the September 23 order would result in a recommendation that this action be 24 dismissed. Id. Plaintiff has not responded to the order to show cause, and the time to do so has 25 passed. 26 The court has the inherent power to control its docket and may, in the exercise of that 27 power, impose sanctions where appropriate, including dismissal. *Bautista v. Los Angeles Cnty.*, 28 1 216 F.3d 837, 841 (9th Cir. 2000); see Local Rule 110 ("Failure of counsel or of a party to 2 comply with these Rules or with any order of the Court may be grounds for imposition by the 3 Court of any and all sanctions . . . within the inherent power of the Court."). 4 A court may dismiss an action based on a party's failure to prosecute an action, failure to 5 obey a court order, or failure to comply with local rules. See *Ghazali v. Moran*, 46 F.3d 52, 53-54 6 (9th Cir. 1995) (dismissal for noncompliance with local rule); *Ferdik v. Bonzelet*, 963 F.2d 1258, 7 1260-61 (9th Cir. 1992) (dismissal for failure to comply with an order to file an amended 8 complaint); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988) (dismissal for failure to 9 comply with local rule requiring pro se plaintiffs to keep court apprised of address); *Malone v. 10 U.S. Postal Serv.*, 833 F.2d 128, 130 (9th Cir. 1987) (dismissal for failure to comply with court 11 order); *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for lack of 12 prosecution and failure to comply with local rules). 13 In recommending that this action be dismissed for failure to comply with court orders, I 14 have

considered “(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 defendants; (4) the public policy favoring disposition of cases on their merits; and (5) the availability of less drastic alternatives.” Here, plaintiff failed to respond to the order directing him to file an amended complaint or notice of voluntary dismissal. See ECF No. 18. Therefore, the public interest in expeditious resolution of litigation, the court’s need to manage its docket, and the risk of prejudice to the defendant all support imposition of the sanction of dismissal. Lastly, my warning to plaintiff that failure to obey court orders will result in dismissal satisfies the “considerations of the alternatives” requirement. *Ferdik*, 963 F.2d at 1262; *Malone*, 833 at 132-33; *Henderson*, 779 F.2d at 1424. The September 23, 2025 order expressly warned plaintiff that failure to comply with court orders would result in dismissal. ECF No. 19. Plaintiff had adequate warning that dismissal could result from noncompliance. I therefore find that the balance of factors weighs in favor of dismissal. Accordingly, it is hereby ORDERED that the Clerk of Court randomly assign a district judge to this matter. Further, it is hereby RECOMMENDED that: 1. This action be dismissed without prejudice for failure to state a claim, failure to prosecute, and for failure to comply with court orders for the reasons stated in the July 30, 2025 order. 2. The Clerk of Court be directed to close the case. These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days of service of these findings and recommendations, any party may file written objections with the court and serve a copy on all parties. Any such document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations,” and any response shall be served and filed within fourteen days of service of the objections. The parties are advised that failure to file objections within the specified time may waive the right to appeal the District Court’s order. See *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Yist*, 951 F.2d 1153 (9th Cir. 1991). IT IS SO ORDERED. (q Sty — Dated: _ December 4, 2025 q———

20 JEREMY D. PETERSON

UNITED STATES MAGISTRATE JUDGE

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