

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Jeremy Xavier Sanchez v. Kern County Sheriff's Department

Sanchez v. Kern County Sheriff's Department · No. 1:25-cv-01158-BAM (PC) · Decided October 28, 2025

SUMMARY

The document contains findings and recommendations in a prisoner civil rights action under 42 U.S.C. § 1983. The magistrate judge recommends dismissal without prejudice for failure to obey an order requiring submission of a certified inmate trust account statement or payment of the filing fee, and for failure to prosecute.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Barbara A. McAuliffe
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	October 28, 2025
DOCKET	1:25-cv-01158-BAM (PC)
DISPOSITION	other
PROCEDURAL POSTURE	A county jail inmate proceeding pro se filed a 42 U.S.C. § 1983 action and an incomplete application to proceed in forma pauperis. After the court ordered him to submit a certified six-month inmate trust account statement or pay the filing fee, he failed to comply. The magistrate judge issued findings and recommendations to dismiss the action without prejudice and directed the clerk to randomly assign a district judge.
STANDARD OF REVIEW	The court applied the Ninth Circuit's five-factor framework for dismissal for failure to prosecute or failure to obey a court order: the public interest in expeditious resolution, the court's need to manage its docket, the risk of prejudice to defendants, the public policy favoring disposition on the merits, and the availability of less drastic sanctions.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Jeremy Xavier Sanchez v. Kern County Sheriff's Department

TOPICS

sanctions

civil procedure

prisoners rights

section 1983

PRACTICE AREAS

civil procedure

prisoner civil rights

federal courts

QUESTIONS PRESENTED

1. Whether the action should be dismissed without prejudice for Plaintiff's failure to obey the court's order requiring submission of a certified inmate trust account statement or payment of the filing fee.
2. Whether dismissal without prejudice is warranted for failure to prosecute under the applicable Ninth Circuit factors.

HOLDINGS

1. A district court may dismiss an action as a sanction for failure to prosecute, failure to obey a court order, or failure to comply with local rules, pursuant to its inherent docket-management power and Local Rule 110.
2. The five Ninth Circuit dismissal factors support recommending dismissal without prejudice because Plaintiff failed to comply with the court's order and ceased litigating the action after receiving an explicit dismissal warning.

KEY QUOTATIONS

"District courts have the inherent power to control their dockets and "[i]n the exercise of that power they may impose sanctions including, where appropriate, . . . dismissal." (at 2)

"In determining whether to dismiss an action, the Court must consider several factors: (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 sanctions." (at 3)

"Finally, the Court's warning to a party that failure to obey the court's order will result in dismissal satisfies the "considerations of the alternatives" requirement." (at 4)

FACTUAL BACKGROUND

Plaintiff, a county jail inmate, filed a pro se civil-rights action under 42 U.S.C. § 1983 and sought to proceed in forma pauperis. His application lacked a certified copy of his six-month inmate trust account statement and the required institutional certification. Although the court ordered him to provide the statement or pay the \$405 filing fee and warned that noncompliance could lead to dismissal, Plaintiff did neither by the deadline.

PROCEDURAL HISTORY

Plaintiff initiated the action on September 8, 2025, with an application to proceed in forma pauperis. On September 10, 2025, the court found the application incomplete and ordered Plaintiff to submit a certified trust account statement or pay the \$405 filing fee within thirty days, warning that noncompliance could result in

dismissal. Plaintiff did neither, so the magistrate judge recommended dismissal without prejudice for failure to obey a court order and failure to prosecute, subject to objections and review by an assigned district judge.

DISPOSITION

other

CASES CITED

- Thompson v. Hous. Auth., 782 F.2d 829, 831 (9th Cir. 1986)
- Ghazali v. Moran, 46 F.3d 52, 53–54 (9th Cir. 1995)
- Ferdik v. Bonzelet, 963 F.2d 1258, 1260–61, 1262 (9th Cir. 1992)
- Malone v. U.S. Postal Serv., 833 F.2d 128, 130–33, 132–33 (9th Cir. 1987)
- Henderson v. Duncan, 779 F.2d 1421, 1423–24 (9th Cir. 1986)
- Carey v. King, 856 F.2d 1439, 1440 (9th Cir. 1988)
- Anderson v. Air W., 542 F.2d 522, 524 (9th Cir. 1976)
- Pagtalunan v. Galaza, 291 F.3d 639, 643 (9th Cir. 2002)
- In re Phenylpropanolamine (PPA) Prods. Liab. Litig., 460 F.3d 1217, 1228 (9th Cir. 2006)
- Wilkerson v. Wheeler, 772 F.3d 834, 838–39 (9th Cir. 2014)
- Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)