

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

**Allen Hammler v. MTS Medication Technologies, Aurobindo Pharma
USA, Inc., Zydus Pharmaceuticals USA, Inc., J. Macomber, Dotson,
Martinez, Gonzales, Allen, Matias, Pye, C. Morales, L. Gonzalez,
Castillo, Leanna Lundy, et al.**

Hammler v. MTS Medication Technologies · No. CV 25-4454 JGB (SPx) · Decided December 17, 2025

SUMMARY

The United States District Court for the Central District of California dismissed Allen Hammler’s action after he failed to pay the filing fee within the deadline set after denial of his in forma pauperis request. The court dismissed the case under Federal Rule of Civil Procedure 41(b) for failure to comply with court orders and directed the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Jesus G. Bernal
JURISDICTION	United States District Court for the Central District of California
DECIDED	December 17, 2025
DOCKET	CV 25-4454 JGB (SPx)
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court sua sponte dismissed an incarcerated pro se plaintiff's complaint after he failed to pay the filing fee within the deadline established by a court order denying his request to proceed in forma pauperis.
STANDARD OF REVIEW	A district court may sua sponte dismiss an action under Federal Rule of Civil Procedure 41(b) for failure to prosecute or failure to comply with court orders after weighing the relevant dismissal factors; the factors need not be expressly or mechanically addressed.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status not stated and no reporter citation appears.

PARTIES

Allen Hammler v. MTS Medication Technologies, Aurobindo Pharma USA, Inc., Zydus Pharmaceuticals USA, Inc., J. Macomber, Dotson, Martinez, Gonzales, Allen, Matias, Pye, C. Morales, L. Gonzalez, Castillo, Leanna Lundy, Does 1-10

TOPICS

sanctions

civil procedure

pleadings

PRACTICE AREAS

civil procedure

federal courts

prisoner civil rights

QUESTIONS PRESENTED

1. Whether the court could sua sponte dismiss the action under Federal Rule of Civil Procedure 41(b) for Plaintiff's failure to comply with the order requiring payment of the filing fee.
2. Whether the relevant dismissal factors supported dismissal rather than a less drastic sanction.

HOLDINGS

1. A district court may sua sponte dismiss an action under Federal Rule of Civil Procedure 41(b) when a plaintiff fails to prosecute the action or comply with a court order, including an order requiring payment of the filing fee.
2. Dismissal was appropriate because the public interest in expeditious resolution, the court's need to manage its docket, the presumed prejudice from unreasonable delay, and the unavailability of realistic lesser sanctions outweighed the policy favoring disposition on the merits.

KEY QUOTATIONS

"Before dismissing an action for either failure to prosecute, failure to obey a court order, or failure to follow the local rules, a court must weigh 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 of their merits; and (5) the availability of less drastic sanctions." (at 1)

"In sum, the Court concludes that four of the five factors weigh in favor of dismissing this action in its entirety." (at 2)

FACTUAL BACKGROUND

Allen Hammler, an incarcerated pro se plaintiff, filed a civil complaint against pharmaceutical companies and individual defendants. The court denied his request to proceed in forma pauperis and ordered him to pay the filing fee within thirty days. He failed to pay the fee by the deadline and offered no explanation for the noncompliance.

PROCEDURAL HISTORY

Plaintiff filed the complaint on May 5, 2025. On September 11, 2025, the court denied Plaintiff's request to proceed in forma pauperis and ordered him to pay the filing fee within thirty days, warning that failure to do so would result in dismissal. Plaintiff did not pay the fee, and the court dismissed the action for failure to comply with court orders and directed the Clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Wolff v. California, 318 F.R.D. 627, 630 (C.D. Cal. 2016)
- Anderson v. Air W., Inc., 542 F.2d 522, 524 (9th Cir. 1976)
- Ghazali v. Moran, 46 F.3d 52, 53-54 (9th Cir. 1995)
- Pagtalunan v. Galaza, 291 F.3d 639, 642-43 (9th Cir. 2002)
- Nealey v. Transportacion Maritima Mexicana, S.A., 662 F.2d 1275, 1279 (9th Cir. 1981)
- Ferdik, 963 F.2d at 1261-62
- Sw. Marine Inc. v. Danzig, 217 F.3d 1128, 1138 (9th Cir. 2000)
- Moore v. Telfon Commc'ns Corp., 589 F.2d 959, 967-68 (9th Cir. 1978)
- Oliva v. Sullivan, 958 F.2d 272, 274 (9th Cir. 1992)
- Malone v. U.S. Postal Serv., 833 F.2d 128, 132-33 (9th Cir. 1987)

OPINION

Allen Hammler v. MTS Medication Technologies, Aurobindo Pharma USA, Inc., Zydus Pharmaceuticals USA, Inc., J. Macomber, Dotson, Martinez, Gonzales, Allen, Matias, Pye, C. Morales, L. Gonzalez, Castillo, Leanna Lundy, et al.

PER CURIAM.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES—GENERAL

Case No. CV 25-4454 JGB (SPx) Date December 17, 2025 Title Allen Hammler v. MTS Medication Technologies, et al. Present: The Honorable JESUS G. BERNAL, UNITED STATES DISTRICT JUDGE MAYNOR GALVEZ Not Reported Deputy Clerk Court Reporter Attorney(s) Present for Plaintiff(s): Attorney(s) Present for Defendant(s): None Present None Present Proceedings: Order (1) DISMISSING Plaintiff's Complaint for Failure to Comply with Court Orders; and (2) DIRECTING the Clerk to Close the Case (IN CHAMBERS)

On May 5, 2025, incarcerated pro se plaintiff Allen Hammler ("Plaintiff") filed a complaint against defendants MTS Medication Technologies, Aurobindo Pharma USA, Inc., Zydus Pharmaceuticals USA, Inc., J. Macomber, Dotson, Martinez, Gonzales, Allen, Matias, Pye, C.

Morales, L. Gonzalez, Castillo, Leanna Lundy (collectively, “Defendants”), and Does 1-10. (“Complaint,” Dkt. No. 1.) On September 11, 2025, the Court denied Plaintiff’s request to proceed in forma pauperis and ordered Plaintiff to “pay the filing fee within thirty days” otherwise the Court would dismiss his case. (“Order,” Dkt. No. 8.) Plaintiff has failed to pay the filing fees within the thirty-day deadline. Federal Rule of Civil Procedure 41(b) grants the Court authority to sua sponte dismiss actions for failure to prosecute or failure to comply with court orders. See Fed. R. Civ. P. 41(b); *Wolff v. California*, 318 F.R.D. 627, 630 (C.D. Cal. 2016). Plaintiffs must prosecute their cases with “reasonable diligence” to avoid dismissal pursuant to Rule 41(b). *Anderson v. Air W., Inc.*, 542 F.2d 522, 524 (9th Cir. 1976). Plaintiff failed to comply with the Court’s order by the deadline. Before dismissing an action for either failure to prosecute, failure to obey a court order, or failure to follow the local rules, a court must weigh 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 of their merits; and (5) the availability of less drastic sanctions. *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995) (failure to follow local rules); *Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002) (failure to prosecute or to comply with a court order). The Court need not weigh these factors explicitly. See *Ghazali*, 46 F.3d at 53–54. The Court finds that dismissal is appropriate. The first two factors—the public’s interest in expeditious resolution of litigation and the Court’s need to manage its docket—relate to the “efficient administration of judicial business for the benefit of all litigants with cases pending.” *Nealey v. Transportacion Maritima Mexicana, S.A.*, 662 F.2d 1275, 1279 (9th Cir. 1980). Both the public and the Court will benefit from the expeditious resolution of this action because further delay will impede judicial efficiency. Plaintiff has unreasonably delayed this action without explanation by failing to timely pay his filing fee. Non-compliance with procedural rules and the Court’s orders wastes “valuable time that [the Court] could have devoted to other . . . criminal and civil cases on its docket.” *Ferdik*, 963 F.2d at 1261; see also *Pagtalunan*, 291 F.3d at 642 (“fail[ing] to pursue the case for almost four months” favors dismissal). Additional delay will prejudice the Defendants by forcing them to spend needless resources defending this action. See *Sw. Marine Inc. v. Danzig*, 217 F.3d 1128, 1138 (9th Cir. 2000) (“Unreasonable delay is the foundation upon which a court may presume prejudice.”); *Moore v. Telfon Commc’ns Corp.*, 589 F.2d 959, 967–68 (9th Cir. 1978) (“[P]rejudice is presumed from unreasonable delay.”). Moreover, less drastic sanctions are not realistic. The Court already issued the Order denying Plaintiff’s IFP Request, which fulfilled its “obligation to warn the plaintiff that dismissal is imminent.” *Oliva v. Sullivan*, 958 F.2d 272, 274 (9th Cir. 1992). “[A] district court’s warning to a party that his failure to obey the court’s order will result in dismissal can satisfy the ‘consideration of alternatives’ requirement.” *Ferdik*, 963 F.2d at 1262 (quoting *Malone v. U.S. Postal Serv.*, 833 F.2d 128, 132–33 (9th Cir. 1987)). In sum, the Court concludes that four of the five factors weigh in favor of dismissing this action in its entirety. See *Pagtalunan*, 291 F.3d at 643 (affirming dismissal where

three factors favored dismissal). Accordingly, the Court **DISMISSES** Plaintiff's action for failure to comply with court orders and **DIRECTS** the Clerk to close the case. **IT IS SO ORDERED.**

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