

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Anthony Boyd v. J. Miller, et al.

Boyd · No. 25-cv-05145-VKD · Decided October 24, 2025

SUMMARY

The United States District Court for the Northern District of California orders reassignment of Anthony Boyd’s civil rights action to a district judge and recommends dismissal without prejudice. The recommendation is based on Boyd’s failure to prosecute, failure to complete service, and failure to comply with court orders.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Virginia K. DeMarchi
JURISDICTION	United States District Court for the Northern District of California
DECIDED	October 24, 2025
DOCKET	25-cv-05145-VKD
DISPOSITION	remanded
PROCEDURAL POSTURE	A pro se plaintiff filed a civil-rights action, but failed to serve the defendants, file proofs of service or status reports, or comply with court orders. A magistrate judge ordered reassignment to a district judge and recommended dismissal without prejudice.
PRECEDENTIAL VALUE	Nonprecedential report and recommendation
PARTIES	Anthony Boyd v. J. Miller, et al.

TOPICS

- service of process
- civil procedure
- civil rights
- motions to dismiss

PRACTICE AREAS

- Civil procedure
- Civil rights litigation
- Federal courts

QUESTIONS PRESENTED

1. Whether the action should be reassigned to a district judge because the parties had not consented to magistrate-judge jurisdiction.
2. Whether the complaint should be recommended for dismissal without prejudice for failure to prosecute and failure to comply with court orders, including the service requirements of Federal Rule of Civil Procedure 4(m).

HOLDINGS

1. Because the court did not have the consent of all parties, the action was required to be reassigned to a district judge.
2. The magistrate judge recommended that the complaint be dismissed without prejudice because Boyd failed to prosecute the action, failed to complete service, and failed to comply with court orders.

KEY QUOTATIONS

“For the reasons discussed below, this Court directs the Clerk of the Court to reassign this action to a district judge, with the recommendation that this case be dismissed without prejudice, for Mr. Boyd’s failure to prosecute and failure to comply with court orders.”

“Accordingly, the Court orders this case reassigned to a district judge with the recommendation that Mr. Boyd’s complaint be dismissed without prejudice for failure to prosecute and failure to comply with court orders.”

FACTUAL BACKGROUND

Anthony Boyd, proceeding without counsel, filed a civil-rights complaint against several San Jose Police Department officers and eleven Doe officers. Although the clerk issued a proposed summons on September 16, 2025, the record contained no proofs of service or indication that any defendant had been served. Boyd failed to file required status reports, request a timely extension, or respond to the court’s August 18 and September 22 orders.

PROCEDURAL HISTORY

Boyd filed the action on June 18, 2025, against named and unnamed San Jose Police Department officers. The court advised him of the service deadline under Federal Rule of Civil Procedure 4(m), later extended the deadline, and ordered status reports and proofs of service. Boyd did not comply with either the service deadline or the court’s orders. Because all parties had not consented to magistrate-judge jurisdiction, the case was ordered reassigned to a district judge with a recommendation of dismissal without prejudice.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The action was ordered reassigned to a district judge. The magistrate judge recommended dismissal without prejudice; parties were permitted to file objections within 14 days after service under 28 U.S.C. § 636(b)(1), Federal Rule of Civil Procedure 72, and Civil Local Rule 72-3.

CASES CITED

- Williams v. King, 875 F.3d 500 (9th Cir. 2017)

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