

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Gonzalez v. Doerer

Gonzalez · No. 1:24-cv-01183 KES GSA (PC) · Decided February 27, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations. The court dismissed Ronnie Gonzalez’s civil rights action without prejudice for failure to prosecute and failure to obey court orders, and directed the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	February 27, 2025
DOCKET	1:24-cv-01183 KES GSA (PC)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff, a federal inmate proceeding pro se, brought a civil-rights action seeking relief under federal statutes and Bivens. After a magistrate judge recommended dismissal for failure to prosecute and failure to obey court orders, the district court conducted de novo review, adopted the findings and recommendations, and dismissed the action without prejudice.
STANDARD OF REVIEW	De novo review under 28 U.S.C. § 636(b)(1).
PRECEDENTIAL VALUE	Unpublished district-court order; precedential status unknown.

TOPICS

- civil procedure
- civil rights

PRACTICE AREAS

- Civil rights
- Federal civil procedure
- Prisoner litigation

QUESTIONS PRESENTED

1. Whether the magistrate judge's findings and recommendations recommending dismissal for failure to prosecute and failure to obey court orders should be adopted.
2. Whether the action should be dismissed without prejudice and the case closed.

HOLDINGS

1. The findings and recommendations recommending dismissal for failure to prosecute and failure to obey court orders were supported by the record and proper analysis and were adopted in full.
2. The action was dismissed without prejudice for failure to prosecute and failure to obey court orders.

KEY QUOTATIONS

“This matter is *DISMISSED* without prejudice for failure to prosecute and failure to obey court orders;” (at 1)

FACTUAL BACKGROUND

Ronnie Gonzalez, a federal inmate proceeding pro se, filed a civil-rights action against J. Doerer seeking relief under several federal statutes and *Bivens v. Six Unknown Federal Narcotics Agents*. The magistrate judge recommended dismissal because Gonzalez failed to prosecute the action and failed to obey court orders. Gonzalez did not object to the findings and recommendations within the time allowed.

PROCEDURAL HISTORY

The matter was referred to a United States magistrate judge under 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. On February 7, 2025, the magistrate judge issued findings and recommendations recommending dismissal for failure to prosecute and failure to obey court orders. Plaintiff did not file objections within the prescribed fourteen-day period. The district court conducted de novo review, adopted the findings and recommendations in full, dismissed the matter without prejudice, and directed the clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 RONNIE GONZALEZ, No. 1:24-cv-01183 KES GSA (PC) 12 Plaintiff,
ORDER ADOPTING FINDINGS AND RECOMMENDATIONS AND DISMISSING 13 v.
MATTER WITHOUT PREJUDICE 14 J. DOERER, Doc. 8 15 Defendant. 16 17 Plaintiff, a
federal inmate proceeding pro se, has filed this civil rights action seeking relief 18 under several
federal statutes and *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 19 (1971).

Doc. 4. The matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 21 On February 7, 2025, the magistrate judge issued findings and recommendations 22 recommending that this case be dismissed for plaintiff's failure to prosecute and failure to obey 23 court orders. Doc. 8.

The findings and recommendations were served on plaintiff and contained 24 notice that any objections thereto were to be filed within fourteen days after service. Id. at 5. 25 Plaintiff has not filed objections, and the time to do so has passed. 26 In accordance with the provisions of 28 U.S.C. § 636(b)(1), this Court has conducted a de 27 novo review of the case.

Having carefully reviewed the file, the Court concludes that the findings 28 and recommendations are supported by the record and by proper analysis. 1 Accordingly, 2 1. The findings and recommendations issued February 7, 2025, Doc. 8, are ADOPTED 3 IN FULL; 4 2. This matter is DISMISSED without prejudice for failure to prosecute and failure to 5 obey court orders; and 6 3.

The Clerk of the Court is directed to CLOSE this case. 4 8 g | SO ORDERED. _ 10 Dated: _ February 26, 2025 4h UNITED STATES DISTRICT JUDGE 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28