

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

William Anthony Bond v. Sacramento County

Bond · No. 2:24-cv-1598-JDP (P) · Decided March 24, 2025

SUMMARY

The court recommends dismissing William Anthony Bond’s habeas action without prejudice because he failed to state a claim, failed to prosecute, and failed to comply with orders directing him to file an amended petition and respond to an order to show cause. The document also orders random assignment of a district judge and advises the parties of the deadline for filing objections to the findings and recommendations.

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	March 24, 2025
DOCKET	2:24-cv-1598-JDP (P)
DISPOSITION	other
PROCEDURAL POSTURE	Findings and recommendations by a magistrate judge in a state habeas corpus action recommending dismissal without prejudice for failure to state a claim, failure to prosecute, and failure to comply with court orders.
STANDARD OF REVIEW	Dismissal for failure to prosecute, failure to obey court orders, or failure to comply with local rules is reviewed under the court's consideration of the public interest in expeditious resolution, the court's need to manage its docket, prejudice to the opposing party, the policy favoring disposition on the merits, and the availability of less drastic alternatives.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	William Anthony Bond v. Sacramento County

TOPICS

federal habeas corpus

sanctions

civil procedure

post-conviction relief

PRACTICE AREAS

Federal habeas corpus

Civil procedure

QUESTIONS PRESENTED

1. Whether the action should be dismissed without prejudice because petitioner failed to state a claim, failed to prosecute, and failed to comply with court orders.
2. Whether the factors governing dismissal for failure to prosecute and noncompliance with court orders supported the recommended sanction of dismissal.

HOLDINGS

1. Dismissal without prejudice was warranted because petitioner failed to file an amended petition, failed to respond to the order to show cause, and had been warned that noncompliance could result in dismissal.

KEY QUOTATIONS

“A court may dismiss an action based on a party’s failure to prosecute an action, failure to obey a court order, or failure to comply with local rules.” (at 1)

“Lastly, my warning to petitioner that failure to obey court orders will result in dismissal satisfies the “considerations of the alternatives” requirement.” (at 2)

FACTUAL BACKGROUND

The court determined that petitioner's habeas petition failed to state a claim and ordered him to file an amended petition within thirty days. Petitioner did not timely file an amended petition and did not respond to a subsequent order to show cause. The court had expressly warned that failure to comply with its orders could result in dismissal.

PROCEDURAL HISTORY

The court screened the petition on November 14, 2024, found that it failed to state a claim, and granted petitioner thirty days to file an amended petition. After petitioner failed to do so, the court issued an order to show cause on February 12, 2025, warning that the action could be dismissed for failure to state a claim, failure to prosecute, and failure to comply with court orders. Petitioner did not respond, and the magistrate judge recommended dismissal without prejudice and closure of the case, subject to review by an assigned 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, 1260-61 (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 (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)

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