

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Goodwin v. Social Security Administration

Goodwin · No. 1:25-cv-00430-SAB · Decided June 30, 2025

SUMMARY

The United States District Court for the Eastern District of California orders reassignment of the matter to a district judge and recommends dismissal. The court recommends dismissal without leave to amend for failure to state a claim, failure to prosecute, and failure to comply with a court order.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Stanley A. Boone
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 30, 2025
DOCKET	1:25-cv-00430-SAB
DISPOSITION	other
PROCEDURAL POSTURE	A pro se plaintiff proceeding in forma pauperis failed to file an amended complaint after the magistrate judge screened the complaint, identified deficiencies, and ordered amendment. The magistrate judge recommended dismissal without leave to amend and ordered reassignment of the matter to a district judge because the parties had not all consented to magistrate-judge jurisdiction.
STANDARD OF REVIEW	For involuntary dismissal under Federal Rule of Civil Procedure 41(b), the court considers 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 alternatives. A district court need not make explicit findings on each factor.
PRECEDENTIAL VALUE	unknown
PARTIES	Duchun Goodwin v. Social Security Administration, et al.

TOPICS

sanctions

motions to dismiss

civil procedure

PRACTICE AREAS

civil procedure

federal courts

in forma pauperis proceedings

pro se litigation

QUESTIONS PRESENTED

1. Whether the action should be dismissed for failure to state a claim after Plaintiff failed to file an amended complaint correcting deficiencies identified in the screening order.
2. Whether the action should be involuntarily dismissed under Federal Rule of Civil Procedure 41(b) and Local Rule 110 for failure to prosecute and failure to comply with a court order.
3. Whether the matter should be reassigned to a district judge because not all parties had consented or declined consent to magistrate-judge jurisdiction.

HOLDINGS

1. The action should be dismissed because the complaint failed to state a claim, and Plaintiff failed to cure the deficiencies after being given an opportunity to amend.
2. Dismissal without leave to amend was warranted under Federal Rule of Civil Procedure 41(b) and Local Rule 110 because Plaintiff failed to prosecute the action and failed to comply with the court's order.
3. The Clerk was directed to randomly assign a district judge because not all parties had appeared or filed consent or declination forms for magistrate-judge jurisdiction.

KEY QUOTATIONS

“Before dismissing an action under Fed. R. Civ. P. 41, a court must consider: (1) the public interest in expeditious resolution of litigation; (2) the court’s need to manage a docket; (3) the risk of prejudice to defendant; (4) public policy favoring disposition on the merits; and (5) the availability of less drastic alternatives.” (at 2)

“IT IS HEREBY ORDERED that the Clerk of the Court DIRECTED to randomly assign this matter to a District Judge. Furthermore, it is HEREBY RECOMMENDED that this case be dismissed without leave to amend for failure to state a claim, failure to prosecute this action, and/or failure to comply with the Court’s order, pursuant to Fed. R. Civ. P. 41 and Local Rule 110.” (at 4)

FACTUAL BACKGROUND

Plaintiff proceeded pro se and in forma pauperis. After screening the complaint under 28 U.S.C. § 1915, the court found that it failed to state a claim, explained the deficiencies, and ordered Plaintiff to file an amended complaint. Plaintiff did not file an amended complaint or otherwise respond by the deadline, despite being warned that failure to comply could result in dismissal without leave to amend.

PROCEDURAL HISTORY

The court screened Plaintiff's initial complaint under 28 U.S.C. § 1915 and found that it failed to state a claim, directing Plaintiff to file an amended complaint within 30 days. Plaintiff failed to comply with the order or file an amended complaint. The magistrate judge therefore issued findings and recommendations recommending dismissal for failure to state a claim, failure to prosecute, and failure to comply with a court order, while directing the Clerk to randomly assign a district judge.

DISPOSITION

other

CASES CITED

- Barren v. Harrington, 152 F.3d 1193 (9th Cir. 1998)
- Applied Underwriters v. Lichtenegger, 913 F.3d 884, 889 (9th Cir. 2019)
- Hells Canyon Pres. Council v. U.S. Forest Serv., 403 F.3d 683, 689 (9th Cir. 2005)
- Malone v. U.S. Postal Service, 833 F.2d 128, 130-31 (9th Cir. 1987)
- Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir. 2000)
- Ferdik v. Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992)
- Yourish v. California Amplifier, 191 F.3d 983, 990-91 (9th Cir. 1999)
- Pagtalunan v. Galaza, 291 F.3d 639, 644 (9th Cir. 2002)
- Sibron v. New York, 392 U.S. 40, 57 (1968)
- Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)
- Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 11 DUCHUN GOODWIN, Case No. 1:25-cv-00430-SAB 12 Plaintiff, ORDER
OF REASSIGNMENT OF THIS MATTER TO A DISTRICT JUDGE 13 v. FINDINGS AND
RECOMMENDATIONS 14 SOCIAL SECURITY ADMINISTRATION, RECOMMENDING
DISMISSAL OF et al., ACTION 15 Defendants. (ECF No. 4) 16 17 Plaintiff is proceeding pro se
and in forma pauperis in this action.

(ECF No. 3.) On 18 March 22, 2025, the Court screened the initial complaint, pursuant to 28 U.S.C. § 1915, and 19 found that it failed to state a claim for which relief could be granted. (ECF No. 4.) The Court 20 explained the deficiencies in the complaint and directed Plaintiff to file an amended complaint 21 within 30 days of receiving the Court’s order. (Id.)

The Court also admonished that “[i]f 22 Plaintiff fails to file a first amended complaint in compliance with this order, the Court will 23 recommend to the district judge that this action be dismissed without leave to amend for failure 24 to state a claim.” (Id.) (emphasis in original).

The deadline for Plaintiff to file his amended 25 complaint has now passed, and the Court will now recommend that this matter be dismissed for 26 failure to state a claim, failure to prosecute, as well as failure to comply with the Court's May 22, 27 2025 order. (ECF No. 4.) Following amendment of the Local Rules effective March 1, 2022, a certain percentage 1 of civil cases shall be directly assigned to a Magistrate Judge only, with consent or declination of 2 consent forms due within 90 days from the date of filing of the action.

L.R. App. A(m)(1). This 3 action has been directly assigned to a Magistrate Judge only. Not all parties have appeared or 4 filed consent or declination of consent forms in this action. Pursuant to 28 U.S.C. § 5 636(b)(1)(B), Local Rule 302(c)(7), and Local Rule Appendix A, subsection (m), the Court shall 6 direct the Clerk of the Court to randomly assign a District Judge to this action, and the Court 7 shall issue its findings and recommendations.

8 I. 9 DISCUSSION 10 To begin, the Court incorporates here its findings and conclusions from its May 22, 2025 11 screening order, which concluded that the amended complaint failed to state a claim. (ECF No. 12 4.) Accordingly, on that basis alone, this matter should be dismissed. 28 U.S.C. § 1915(e)(2); 13 see *Barren v. Harrington*, 152 F.3d 1193 (9th Cir. 1998) (affirming sua sponte dismissal for 14 failure to state a claim).

15 In addition, Federal Rule of Civil Procedure 41(b) permits courts to involuntarily dismiss 16 an action when a litigant fails to prosecute an action or fails to comply with a court order. See 17 Fed. R. Civ. P. 41(b); see also *Applied Underwriters v. Lichtenegger*, 913 F.3d 884, 889 (9th Cir. 18 2019) (citations omitted); *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 19 (9th Cir.

2005) (“[T]he consensus among our sister circuits, with which we agree, is that courts 20 may dismiss under Rule 41(b) sua sponte, at least under certain circumstances.”). Similarly, 21 Local Rule 110 permits courts to impose sanctions on a party who fails to comply with a court 22 order, and the procedural rules that govern this Court are to be “construed, administered and 23 employed by the court... to secure the just, speedy, and inexpensive determination of every 24 action and proceeding.” Fed.

R. Civ. P. 1. 25 Before dismissing an action under Fed. R. Civ. P. 41, a court must consider: (1) the 26 public interest in expeditious resolution of litigation; (2) the court's need to manage a docket; (3) 27 the risk of prejudice to defendant; (4) public policy favoring disposition on the merits; and (5) 1 these five factors “must be considered” before a Rule 41 involuntarily dismissal); *Malone v. U.S. 2 Postal Service*, 833 F.2d 128, 130-31 (9th Cir.

1987) (reviewing the five factors and 3 independently reviewing the record because the district court did not make finding as to each). 4 But see *Bautista v. Los Angeles County*, 216 F.3d 837, 841 (9th Cir. 2000) (listing the same but 5 noting the court need not make explicit findings as to

each); *Ferdik v. Bonzelet*, 963 F.2d 1258, 6 1260-61 (9th Cir. 1992) (affirming dismissal of pro se § 1983 action when plaintiff did not 7 amend caption to remove “et al.” as the court directed and reiterating that an explicit finding of 8 each factor is not required by the district court).

9 Upon review of the above-stated factors, the Court finds dismissal of the action is 10 warranted. The expeditious resolution of litigation is deemed to be in the public interest. 11 *Yourish v. California Amplifier*, 191 F.3d 983, 990-91 (9th Cir. 1999). Turning to the second 12 factor, the Court’s need to efficiently manage its docket cannot be overstated.

Given Plaintiff 13 has failed to respond to the Court’s May 22, 2025 order, the Court’s time is better spent on other 14 matters than needlessly consumed managing a case with a recalcitrant litigant. Indeed, “trial 15 courts do not have time to waste on multiple failures by aspiring litigants to follow the rules and 16 requirements of our courts.” *Pagtalunan v. Galaza*, 291 F.3d 639, 644 (9th Cir.

2002) (Trott, J., 17 concurring in affirmance of district court’s involuntary dismissal with prejudice of habeas 18 petition where the petitioner failed to timely respond to court order, noting “the weight of the 19 docket-managing factor depends upon the size and load of the docket, and those in the best 20 position to know what that is are our beleaguered trial judges”).

Delays have the inevitable and 21 inherent risk that evidence will become stale or witnesses’ memories will fade or be unavailable 22 and can prejudice a defendant, thereby satisfying the third factor. See *Sibron v. New York*, 392 23 U.S. 40, 57 (1968).

The instant dismissal is a dismissal without leave to amend, which the Court 24 finds appropriate under the circumstances, and the Court’s order gave Plaintiff sufficient notice. 25 In sum, this case cannot linger indefinitely on this Court’s already overburdened docket. 26 A dismissal of this action for failure to prosecute and failure to comply with court orders is in 27 accord with Ninth Circuit precedent as well precedent governing Rule 41 dismissals.

It appears 1 | warrants the sanction of dismissal without leave to amend under the circumstances. 2
I. 3 ORDER AND RECOMMENDATIONS 4 IT IS HEREBY ORDERED that the Clerk of the Court DIRECTED to randomly assign 5 | this matter to a District Judge. Furthermore, it is HEREBY RECOMMENDED that this case be 6 | dismissed without leave to amend for failure to state a claim, failure to prosecute this action, 7 | and/or failure to comply with the Court’s order, pursuant to Fed.

R. Civ. P. 41 and Local Rule 8 | 110. 9 These Findings and Recommendations will be submitted to the United States District 10 | Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(). Within fourteen 11 | 14) days after being served with these Findings and Recommendations, Plaintiff may file 12 | written objections with the Court, limited to 15 pages in length, including exhibits.

The 13 |document should be captioned “Objections to Magistrate Judge’s Findings and 14 |
Recommendations.” Plaintiff is advised that failure to file objections within the specified time 15 |
may result in the waiver of rights on appeal. *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th 16 |
Cir. 2014), citing *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991).

17 18 IT IS SO ORDERED. OF. nf ee 19 | Dated: _June 30, 2025 _ ee STANLEY A. BOONE 20
United States Magistrate Judge 21 22 23 24 25 26 27 28