

**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

OPINION

Goodwin v. Social Security Administration

PER CURIAM.

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 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 involuntary 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