

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
CALIFORNIA

Edward D. Gilmore v. D. Castillo

Gilmore v. Castillo · No. 1:21-cv-00617 JLT GSA (PC) · Decided September 22, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted findings and recommendations granting Defendant's motion for terminating sanctions under Federal Rule of Civil Procedure 37(b)(2)(A)(v). The action was dismissed with prejudice under Rules 37(b)(2)(A)(v) and 41(b), and the Clerk was directed 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            | September 22, 2025                                                                                                                               |
| DOCKET             | 1:21-cv-00617 JLT GSA (PC)                                                                                                                       |
| DISPOSITION        | dismissed                                                                                                                                        |
| PROCEDURAL POSTURE | The district court reviewed and adopted a magistrate judge's findings and recommendations granting Defendant's motion for terminating sanctions. |
| STANDARD OF REVIEW | De novo review under 28 U.S.C. § 636(b)(1)(C).                                                                                                   |
| PRECEDENTIAL VALUE | unpublished                                                                                                                                      |
| PARTIES            | Edward D. Gilmore v. D. Castillo                                                                                                                 |

TOPICS

sanctions civil procedure

PRACTICE AREAS

Civil procedure Prisoner civil rights

QUESTIONS PRESENTED

- Whether the district court should adopt the magistrate judge's findings and recommendations concerning Defendant's motion for terminating sanctions.

2. Whether terminating sanctions and dismissal with prejudice were appropriate under Federal Rules of Civil Procedure 37(b)(2)(A)(v) and 41(b).

## HOLDINGS

1. The findings and recommendations were supported by the record and proper analysis and were adopted in full.
2. The motion for terminating sanctions was granted, and the action was dismissed with prejudice.

## KEY QUOTATIONS

*“Having carefully reviewed the matter, the Court concludes the Findings and Recommendations are supported by the record and proper analysis.”* (at 1)

*“This matter is DISMISSED with prejudice.”* (at 2)

## FACTUAL BACKGROUND

The magistrate judge issued findings and recommendations recommending terminating sanctions against Plaintiff. The district court's order does not detail the underlying conduct beyond identifying the motion as one for terminating sanctions under Federal Rule of Civil Procedure 37(b)(2)(A)(v).

## PROCEDURAL HISTORY

The magistrate judge recommended granting Defendant's motion for terminating sanctions under Federal Rule of Civil Procedure 37(b)(2)(A)(v). Plaintiff was served with the findings and recommendations and given 14 days to object, but filed no objections. The district court conducted de novo review under 28 U.S.C. § 636(b)(1)(C), adopted the findings and recommendations in full, granted the motion, and dismissed the action with prejudice.

## DISPOSITION

dismissed

## CASES CITED

- *Malone v. United States Postal Service*, 833 F.2d 128, 130 (9th Cir. 1987)

## INSTRUCTIONS FOR AN AI ASSISTANT

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