

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Andrew U.D. Straw v. Facebook

Straw · No. 24-cv-08625-PHK · Decided October 15, 2025

SUMMARY

The United States District Court for the Northern District of California issued an order to show cause after Plaintiff Andrew U.D. Straw failed to file an amended complaint or request an extension by the court-ordered deadline. The order directs Plaintiff to file an amended complaint, request a reasonable extension, or explain why the action should not be dismissed for failure to prosecute and failure to comply with court orders by November 14, 2025.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Peter H. Kang
JURISDICTION	United States District Court for the Northern District of California
DECIDED	October 15, 2025
DOCKET	24-cv-08625-PHK
DISPOSITION	other
PROCEDURAL POSTURE	After dismissing Plaintiff's complaint without prejudice and granting leave to amend, the court issued an order to show cause because Plaintiff failed to file an amended complaint or request an extension by the deadline.
PRECEDENTIAL VALUE	unpublished, nonprecedential order
PARTIES	Andrew U.D. Straw v. Facebook

TOPICS

- pleadings
- civil procedure

PRACTICE AREAS

- civil procedure
- federal civil litigation

QUESTIONS PRESENTED

1. Whether the court should require Plaintiff to show cause why the action should not be dismissed for failure to prosecute and failure to comply with court orders.
2. Whether the court may sua sponte dismiss an action for failure to prosecute or failure to comply with court orders.

HOLDINGS

1. A federal court possesses inherent authority to dismiss an action sua sponte when a plaintiff fails to prosecute the action or fails to comply with court orders.

KEY QUOTATIONS

“The Court possesses the inherent power to dismiss an action sua sponte if a plaintiff fails to prosecute their action or fails to comply with court orders.” (at 1)

“If Plaintiff fails to respond to this Order to Show Cause in one of the ways directed herein by the November 14, 2025 deadline set herein, the Court will issue a report and recommendation that this action be dismissed with prejudice for failure to prosecute and failure to comply with court orders” (at 2)

FACTUAL BACKGROUND

Plaintiff, an attorney proceeding pro se, filed this action against Facebook and sought to proceed in forma pauperis. After granting the application, the court dismissed the complaint without prejudice as frivolous and for failure to state a claim, while allowing Plaintiff to file an amended complaint curing identified deficiencies. Plaintiff did not file an amended complaint or request an extension by the October 8, 2025 deadline.

PROCEDURAL HISTORY

Plaintiff filed the complaint and an application to proceed in forma pauperis on December 2, 2024. The court granted the IFP application on September 8, 2025, screened and dismissed the complaint without prejudice as frivolous and for failure to state a claim, and granted leave to amend by October 8, 2025. After Plaintiff failed to amend or seek an extension, the court ordered him to show cause and set a new deadline of November 14, 2025.

DISPOSITION

other

CASES CITED

- Link v. Wabash R.R. Co., 370 U.S. 626, 629-30 (1962)
- Yourish v. Cal. Amplifier, 191 F.3d 983, 987 (9th Cir. 1999)