

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Al Gene Fisher, Jr. v. Galyen, et al.

Fisher v. Galyen · No. 2:22-cv-1952-TLN-JDP (P) · Decided October 2, 2025

SUMMARY

The United States District Court for the Eastern District of California orders plaintiff Al Gene Fisher, Jr. to show cause within twenty-one days why the action should not be dismissed for failure to prosecute and failure to comply with local rules. The order also directs plaintiff to file an opposition or statement of non-opposition to defendants' motion for summary judgment, warning that failure to respond will result in a recommendation of dismissal.

OPINION

Galyen

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 AL GENE FISHER, JR., Case No. 2:22-cv-1952-TLN-JDP (P) 12 Plaintiff,

13 v. ORDER TO SHOW CAUSE

14 GALYEN, et al., 15 Defendants. 16 17 On August 20, 2025, defendants filed a motion for summary judgment. ECF No. 57. To 18 date, plaintiff has not filed a response. 19 To manage its docket effectively, the court requires litigants to meet certain deadlines. 20 The court may impose sanctions, including dismissing a case, for failure to comply with its orders 21 or local rules. See Fed. R. Civ. P. 41(b); E.D. Cal. L.R. 110; Hells Canyon Pres. Council v. U.S. 22 Forest Serv., 403 F.3d 683, 689 (9th Cir. 2005); Carey v. King, 856 F.2d 1439, 1440-41 (9th Cir. 23 1988). Involuntary dismissal is a harsh penalty, but a district court has a duty to administer 24 justice expeditiously and avoid needless burden for the parties. See Pagtalunan v. Galaza, 291 25 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1. 26 I will give plaintiff a chance to explain why the court should not dismiss the case for his 27 failure to file an opposition or statement of non-opposition to defendants' motion. Plaintiff's 28 failure to respond to this order will constitute a failure to comply with a court order and will result 1 | in arecommendation that this action be dismissed. Accordingly, plaintiff is ordered to show 2 | cause within twenty-one days why this case should not be dismissed for failure to prosecute and 3 | failure to comply with local rules. Should plaintiff wish to continue with this lawsuit, he shall 4 | file, within twenty-one days, an opposition or statement of non-opposition to defendants' motion. 5 6 IT IS SO ORDERED. Dated:

_ October 2, 2025 Q_————

8 JEREMY D. PETERSON

9 UNITED STATES MAGISTRATE JUDGE

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