

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Anthony Lee Williams v. Trimpey, et al.

Williams v. Trimpey · No. 2:24-cv-02148 SCR P · Decided September 24, 2025

SUMMARY

The United States District Court for the Eastern District of California recommends dismissing Anthony Lee Williams’s 42 U.S.C. § 1983 action without prejudice for failure to prosecute and failure to comply with a court order. The recommendation follows plaintiff’s failure to file an amended complaint after the court found that his original complaint stated no cognizable claims, and it applies the dismissal factors under Federal Rule of Civil Procedure 41(b) and relevant Ninth Circuit precedent.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sean C. Riordan
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	September 24, 2025
DOCKET	2:24-cv-02148 SCR P
DISPOSITION	other
PROCEDURAL POSTURE	Findings and recommendations by a magistrate judge recommending dismissal without prejudice of a prisoner civil-rights action for failure to prosecute and failure to comply with a court order.
STANDARD OF REVIEW	Dismissal for failure to prosecute or failure to comply with a court order is evaluated under the five-factor framework considering 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.
PRECEDENTIAL VALUE	Nonprecedential findings and recommendations of a federal magistrate judge; not a final merits decision.
PARTIES	Anthony Lee Williams v. Trimpey, et al.

TOPICS

civil procedure

prisoners rights

section 1983

PRACTICE AREAS

Civil procedure

Prisoner civil rights

Federal courts

QUESTIONS PRESENTED

1. Whether the action should be dismissed without prejudice 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 screening order.
2. Whether dismissal was appropriate after consideration of the five dismissal factors and less drastic alternatives.

HOLDINGS

1. The court recommended dismissal without prejudice because plaintiff failed to file an amended complaint or otherwise respond by the court-ordered deadline.

KEY QUOTATIONS

“(1) the public’s interest in expeditious resolution of litigation; (2) the court’s need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of cases on their merits; and (5) the availability of less drastic alternatives.” (1)

“The undersigned has also considered less drastic alternatives and concludes that dismissal without prejudice is appropriate.” (1)

FACTUAL BACKGROUND

Plaintiff was incarcerated in a county jail and proceeded pro se and in forma pauperis in a 42 U.S.C. § 1983 action. After the court found that his complaint stated no cognizable claims, it granted him thirty days to amend and warned that failure to amend could lead to dismissal. Plaintiff allowed the deadline to pass without filing an amended complaint or otherwise responding.

PROCEDURAL HISTORY

The court previously screened plaintiff's complaint and found that it failed to state any cognizable claims for relief. Plaintiff was granted thirty days to file an amended complaint and was warned that failure to do so could result in dismissal under Federal Rule of Civil Procedure 41(b). Plaintiff did not file an amended complaint or otherwise respond. The magistrate judge recommended dismissal without prejudice and ordered that a district judge be randomly assigned; the parties were given twenty-one days to object.

DISPOSITION

other

REMAND INSTRUCTIONS

The Clerk was ordered to randomly assign a district judge. The magistrate judge recommended dismissal without prejudice, subject to plaintiff's opportunity to file objections within twenty-one days; no final dismissal had yet been entered in the opinion.

CASES CITED

- *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260-61 (9th Cir. 1992)
- *Yourish v. California Amplifier*, 191 F.3d 983, 990 (9th Cir. 1999)
- *Pagtalunan v. Galaza*, 291 F.3d 639, 643 (9th Cir. 2002)
- *Leon v. IDX Systems Corp.*, 464 F.3d 951, 961 (9th Cir. 2006)
- *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991)

OPINION

Trimpey

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10

11 ANTHONY LEE WILLIAMS, No. 2:24-cv-02148 SCR P

12 Plaintiff, 13 v. ORDER and

14 TRIMPEY, et al., FINDINGS AND RECOMMENDATIONS

15 Defendants. 16

17 Plaintiff is incarcerated in a county jail and proceeding pro se and in forma pauperis with 18 a
civil rights action under 42 U.S.C. § 1983. On July 21, 2025, the undersigned screened 19
plaintiff's complaint and found it failed to state any cognizable claims for relief. (ECF No. 14.) 20
Plaintiff was granted thirty (30) days to file an amended complaint. (Id. at 8.) Plaintiff was 21
further advised that failure to file an amended complaint would result in the recommendation that
22 the action be dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. (Id.) 23
The time for plaintiff to amend his complaint has now passed, and plaintiff has not filed 24 an
amended complaint or otherwise responded to the screening order. Accordingly, the 25
undersigned recommends that the action be dismissed for failure to prosecute and failure to 26
comply with a court order. See Fed. R. Civ. P. 41(b); Local Rule 110. 27 In recommending
dismissal, the court has considered: "(1) the public's interest in 28 expeditious resolution of
litigation; (2) the court's need to manage its docket; (3) the risk of 1 | prejudice to the defendants;
(4) the public policy favoring disposition of cases on their merits; and 2 | (5) the availability of less
drastic alternatives." *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260-61 (9th 3 | Cir. 1992) (citation
omitted). "The public's interest in expeditious resolution of litigation always 4 | favors dismissal."

Yourish v. Cal. Amplifier, 191 F.3d 983, 990 (9th Cir. 1999). The court's need to manage its docket also weighs in favor of dismissal, particularly given the heavy caseload in this District. The third factor is neutral given no defendants have appeared, but "[u]nnecessary delay inherently increases the risk that witnesses' memories will fade and evidence will become stale." Pagtalunan v. Galaza, 291 F.3d 639, 643 (9th Cir. 2002). The public policy favoring disposition of actions on the merits weighs against dismissal, but when "standing alone ... is not sufficient to outweigh the other four factors." Leon v. IDX Sys. Corp., 464 F.3d 951, 961 (9th Cir. 2006). The undersigned has also considered less drastic alternatives and concludes that dismissal without prejudice is appropriate. Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court shall randomly assign a district judge to this matter. In addition, IT IS RECOMMENDED that the action be dismissed without prejudice for failure to prosecute, Fed. R. Civ. P. 41(b), and failure to comply with a court order, Local Rule 17 } 110. These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one days after being served with these findings and recommendations, plaintiff may file written objections with the court. Such a document should be captioned "Objections to Magistrate Judges Findings and Recommendations." Plaintiff is advised that failure to file objections within the specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991). DATED: September 24, 2025 md
SEAN C. RIORDAN
UNITED STATES MAGISTRATE JUDGE