

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Johnson v. Nugent

Johnson · No. 1:24-cv-00949 JLT BAM (PC) · Decided May 19, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations in a prisoner civil-rights action. The court dismissed the action with prejudice for failure to state a claim, failure to obey a court order, and failure to prosecute, and directed the clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jennifer L. Thurston
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	May 19, 2025
DOCKET	1:24-cv-00949 JLT BAM (PC)
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed and adopted a magistrate judge's findings and recommendations recommending dismissal of a prisoner's civil-rights action after the plaintiff failed to amend his complaint, voluntarily dismiss the action, object to the findings and recommendations, or otherwise prosecute the case.
STANDARD OF REVIEW	De novo review under 28 U.S.C. § 636(b)(1) of the magistrate judge's findings and recommendations.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Shawn Pierre Johnson v. Nugent, et al.

TOPICS

- prisoners rights
- section 1983
- sanctions
- pleadings
- civil procedure

PRACTICE AREAS

- civil rights
- prisoner civil rights
- federal civil procedure

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's findings and recommendations after conducting de novo review under 28 U.S.C. § 636(b)(1).
2. Whether dismissal with prejudice was warranted for failure to state a claim, failure to obey a court order, and failure to prosecute.

HOLDINGS

1. After de novo review under 28 U.S.C. § 636(b)(1), the district court adopted the findings and recommendations in full because they were supported by the record and proper analysis.
2. Dismissal with prejudice was warranted because Plaintiff failed to state a claim, failed to obey the court's screening order, and failed to prosecute the action.

KEY QUOTATIONS

“This action is DISMISSED with prejudice for Plaintiff's failure to state a claim, failure to obey a court order, and failure to prosecute.” (at 2)

FACTUAL BACKGROUND

Plaintiff was a state prisoner who sought to hold defendants liable for alleged civil-rights violations occurring while he was incarcerated at Kern Valley State Prison. After screening his amended complaint, the magistrate judge determined that Plaintiff had not stated a cognizable claim and gave him an opportunity to cure the deficiencies or voluntarily dismiss the action. Plaintiff failed to respond to the court's order and did not file objections to the recommendation of dismissal.

PROCEDURAL HISTORY

The magistrate judge screened Plaintiff's amended complaint under 28 U.S.C. § 1915A(a), found that it failed to state a cognizable claim, and granted leave to amend or voluntarily dismiss. Plaintiff did neither. The magistrate judge recommended dismissal with prejudice for failure to state a claim, failure to obey a court order, and failure to prosecute, and applied the Ninth Circuit's Henderson factors concerning terminating sanctions. After Plaintiff failed to object, the district court conducted de novo review, adopted the findings and recommendations in full, dismissed the action with prejudice, and directed the clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Henderson v. Duncan, 779 F.2d 1421, 1423 (9th Cir. 1986)
- Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)

