

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Raouf v. Unknown

Raouf · No. 2:25-cv-1724 · Decided August 6, 2025

SUMMARY

The court recommends dismissing Joseph Raouf’s action without prejudice because he failed to comply with an order requiring him to file a complaint and either pay the filing fee or seek in forma pauperis status. The court also orders the Clerk to assign a district judge and advises plaintiff that objections to the findings and recommendations must be filed within fourteen days.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Carolyn K. Delaney
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	August 6, 2025
DOCKET	2:25-cv-1724
DISPOSITION	other
PROCEDURAL POSTURE	A prisoner civil-rights action in which the magistrate judge recommended dismissal without prejudice after plaintiff failed to file a complaint or pay the filing fee or submit an application to proceed in forma pauperis.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

civil procedure pleadings

PRACTICE AREAS

civil procedure prisoner civil rights

QUESTIONS PRESENTED

- Whether the action should be dismissed without prejudice under Federal Rule of Civil Procedure 41(b) and Local Rule 110 because plaintiff failed to comply with the court’s order.

KEY QUOTATIONS

“IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice.” (at 1)

FACTUAL BACKGROUND

The court had ordered Joseph Raouf to file a complaint and either pay the filing fee or seek leave to proceed in forma pauperis. The thirty-day deadline expired without any response from plaintiff.

PROCEDURAL HISTORY

On June 24, 2025, the court ordered plaintiff to file a complaint and either pay the filing fee or submit an application to proceed in forma pauperis within thirty days. Plaintiff did not respond within the allotted period. The magistrate judge ordered assignment of a district judge and issued findings and recommendations that the action be dismissed without prejudice, subject to plaintiff’s opportunity to object within fourteen days.

DISPOSITION

other

CASES CITED

- Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991)

OPINION

(PC) Raouf v. Unknown

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 JOSEPH RAOUF, No. 2:25-cv-1724 CKD P 12 Plaintiff,

13 v. ORDER AND

14 UNKNOWN, FINDINGS AND RECOMMENDATIONS

15 Defendant. 16

17 On June 24, 2025, plaintiff was ordered to file a complaint. Plaintiff was also ordered to 18
either pay the filing fee or submit an application to proceed in forma pauperis. Plaintiff was 19
granted 30 days to do so. The thirty-day period has now expired, and plaintiff has not responded
20 to the court’s June 24, 2025 order. 21 Accordingly, IT IS HEREBY ORDERED that the Clerk
of the Court assign a district 22 court judge to this case. 23 IT IS HEREBY RECOMMENDED
that this action be dismissed without prejudice. See 24 Local Rule 110; Fed. R. Civ. P. 41(b). 25
These findings and recommendations are submitted to the United States District Judge 26 assigned
to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within fourteen days 27 after
being served with these findings and recommendations, plaintiff may file written objections 28

with the court. The document should be captioned “Objections to Magistrate Judge’s Findings 1 | and Recommendations.” Plaintiff is advised that failure to file objections within the specified 2 | time may waive the right to appeal the District Court’s order. Martinez v. YIst, 951 F.2d 1153 3 || (9th Cir. 1991). 4 | Dated: August 5, 2025 Card ke yy a
5 CAROLYN K DELANEY?
6 UNITED STATES MAGISTRATE JUDGE
7 8 9} 1 10 raoul 724 .fta 1] 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28