

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PRECEDENTIAL VALUE	nonprecedential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)