

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Quoc Xuong Luu v. Warden - Wasco State Prison, et al.

Luu v. Warden · No. 1:25-cv-00354-JLT-SKO · Decided December 30, 2025

SUMMARY

The United States District Court for the Eastern District of California orders Plaintiff Quoc Xuong Luu to show cause within 14 days why his civil rights action should not be dismissed for failure to respond to the Court’s first screening order. The order permits Plaintiff alternatively to file a first amended complaint or a notice of voluntary dismissal and warns that failure to comply may result in a recommendation of dismissal for failure to obey court orders and failure to prosecute.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sheila K. Oberto
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 30, 2025
DOCKET	1:25-cv-00354-JLT-SKO
DISPOSITION	other
PROCEDURAL POSTURE	The court issued an order to show cause after a pro se prisoner plaintiff failed to respond to a screening order directing him to file a first amended complaint or a notice of voluntary dismissal.
PRECEDENTIAL VALUE	Nonprecedential district-court order

TOPICS

- sanctions
- civil procedure
- pleadings
- civil rights

PRACTICE AREAS

- Civil procedure
- Prisoner civil rights

QUESTIONS PRESENTED

- Whether the court may require Plaintiff to show cause and potentially dismiss the action for failure to comply with a court order and failure to prosecute.

2. Whether Plaintiff should receive an additional 14-day opportunity to respond to the screening order by filing a first amended complaint, a notice of voluntary dismissal, or a written explanation.

HOLDINGS

1. A district court may use its inherent docket-management power, together with applicable rules, to impose sanctions including dismissal when a party fails to prosecute an action, obey a court order, or comply with local rules.

KEY QUOTATIONS

“District courts have inherent power to control their dockets” (at 2)

“Accordingly, the Court ORDERS Plaintiff to show cause in writing, within 14 days of the date of service of this order, why this action should not be dismissed for his failure to comply with the Court’s screening order.”
(at 3)

FACTUAL BACKGROUND

Plaintiff Quoc Xuong Luu, proceeding pro se and in forma pauperis, brought a civil-rights action against the Warden of Wasco State Prison and other defendants. The court's first screening order found that the complaint failed to state a cognizable claim against any named defendant. Plaintiff did not file an amended complaint, a notice of voluntary dismissal, or any other response within the 21-day deadline.

PROCEDURAL HISTORY

Plaintiff filed an in forma pauperis civil-rights action. On December 1, 2025, the court screened the complaint, found that it failed to state a claim, and ordered Plaintiff to file a first amended complaint or notice of voluntary dismissal within 21 days. Plaintiff took no action, so the court ordered him to show cause within 14 days why the action should not be dismissed, while allowing him to file an amended complaint or voluntary dismissal instead.

DISPOSITION

other

CASES CITED

- Thompson v. Housing Authority, City of Los Angeles, 782 F.2d 829, 831 (9th Cir. 1986)
- Ferdik v. Bonzelet, 963 F.2d 1258, 1260-1261 (9th Cir. 1992)
- Malone v. U.S. Postal Service, 833 F.2d 128, 130-131 (9th Cir. 1987)
- Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986)