

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Michael Thomas v. J. Castro, et al.

Thomas v. Castro · No. No. 1:24-cv-00507-KES-SAB (PC) · Decided November 19, 2025

SUMMARY

The United States District Court for the Eastern District of California discharged its order to show cause concerning whether the plaintiff’s claims were barred by the statute of limitations. The court granted the plaintiff’s motion for leave to file a first amended complaint asserting claims under the Americans with Disabilities Act and Rehabilitation Act, finding no prejudice, bad faith, undue delay, or futility. The court stated that it would screen the amended complaint in due course.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Stanley A. Boone
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	November 19, 2025
DOCKET	No. 1:24-cv-00507-KES-SAB (PC)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, proceeding pro se and in forma pauperis, moved for leave to amend his complaint after the court issued an order to show cause concerning possible statute-of-limitations issues. The district court discharged the order to show cause and granted leave to amend.
STANDARD OF REVIEW	Leave to amend under Federal Rule of Civil Procedure 15(a) is generally freely given when justice so requires, subject to considerations including prejudice, bad faith, undue delay, and futility.
PRECEDENTIAL VALUE	unpublished
PARTIES	Michael Thomas v. J. Castro, et al.

TOPICS

- motion to amend
- statute of limitations
- civil procedure
- section 1983
- ada / disability

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the order to show cause concerning possible statute-of-limitations bar should be discharged.
2. Whether Plaintiff should be granted leave to amend the complaint under Federal Rule of Civil Procedure 15(a).

HOLDINGS

1. The order to show cause was discharged because, based on Plaintiff's response and allegations, it was not absolutely clear that the claims were barred by the applicable statute of limitations.
2. Leave to amend was granted because there was no evidence of prejudice, bad faith, undue delay, or futility, and no defendant had been served or appeared.

KEY QUOTATIONS

"However, this order does not preclude the filing of a later motion for summary judgment on the ground that Plaintiff's claims are barred by the statute of limitations." (at 1)

"Rule 15(a) is very liberal and leave to amend shall be freely given when justice so requires." (at 2)

FACTUAL BACKGROUND

Michael Thomas filed a pro se, in forma pauperis civil-rights action under 42 U.S.C. § 1983. He sought to file a first amended complaint adding claims under the Americans with Disabilities Act and Rehabilitation Act, while representing that the factual allegations remained unchanged. No defendant had been served or appeared, and the motion to amend was filed before screening of the initial complaint.

PROCEDURAL HISTORY

Plaintiff filed the § 1983 action on April 29, 2024. He moved for leave to file a first amended complaint on January 22, 2025, before service, appearance, or screening of the initial complaint. After the court issued an order to show cause regarding the statute of limitations, Plaintiff responded, and the court discharged the order to show cause and granted the motion to amend.

DISPOSITION

other

CASES CITED

- *AmerisourceBergen Corp. v. Dialysist West, Inc.*, 465 F.3d 946, 951 (9th Cir. 2006)

OPINION

Castro

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10

11 MICHAEL THOMAS, No. 1:24-cv-00507-KES-SAB (PC)

12 Plaintiff, ORDER DISCHARGING ORDER TO SHOW

CAUSE AND GRANTING PLAINTIFF'S

13 v. MOTION TO AMEND THE COMPLAINT

14 J. CASTRO, et al., (ECF Nos. 8, 10) 15 Defendants. 16 17 Plaintiff is proceeding pro se and in
forma pauperis in this civil rights action filed pursuant 18 to 42 U.S.C. § 1983. 19 I.

20 BACKGROUND

21 Plaintiff filed the instant action on April 29, 2024. (ECF No. 1.) 22 On January 22, 2025,
Plaintiff filed a motion for leave to file an amended complaint, 23 along with a copy of the
proposed first amended complaint. (ECF Nos. 8, 9.) 24 On August 14, 2025, the Court ordered
Plaintiff to show cause why the action should not 25 be dismissed as barred by the statute of
limitations. (ECF No. 10.) On August 25, 2025, Plaintiff 26 filed a response to the order to show
cause. (ECF No. 11.) 27 The case was transferred to the undersigned on October 3, 2025. (ECF
No. 12.) 28 1 II.

2 DISCUSSION

3 A. Order to Show Cause as to Statute of Limitations 4 As stated above, Plaintiff was ordered to
show cause why the action should not be 5 dismissed as barred by the statute of limitations and the
motion to amend the complaint be denied 6 as moot. (ECF No. 10.) 7 In his response, Plaintiff
argues that he is within the statute of limitations for filing this 8 case based on the applicable
tolling. (ECF No. 11.) 9 Based on a review of Plaintiff's response to the order to show cause and
the allegations 10 therein, the Court finds that it is not absolutely clear whether Plaintiff's claims
are barred by the 11 applicable statute of limitations. Accordingly, the Court will discharge the
order to show cause. 12 However, this order does not preclude the filing of a later motion for
summary judgment on the 13 ground that Plaintiff's claims are barred by the statute of limitations.
14 B. Motion to Amend 15 As previously stated, on January 22, 2025, Plaintiff filed a motion
requesting leave to 16 amend his complaint. (ECF No. 8.) Plaintiff seeks to bring claims under the
Americans with 17 Disabilities Act and Rehabilitation Act against Defendants. (Id. at 1.) Plaintiff
submits that the 18 actual factual allegations in the proposed first amended complaint are
unchanged from the 19 original complaint. (Id.) 20 Under Rule 15(a) of the Federal Rules of Civil
Procedure, a party may amend the party's 21 pleading once as a matter of course at any time
before a responsive pleading is served. Otherwise, 22 a party may amend only by leave of the
court or by written consent of the adverse party, and 23 leave shall be freely given when justice so

requires. Fed. R. Civ. P. 15(a). “Rule 15(a) is very liberal and leave to amend shall be freely given when justice so requires.” *AmerisourceBergen 25 Corp. v. Dialysist West, Inc.*, 465 F.3d 946, 951 (9th Cir. 2006) (citation and quotation omitted). However, courts “need not grant leave to amend where the amendment: (1) prejudices the opposing party; (2) is sought in bad faith; (3) produces an undue delay in litigation; or (4) is futile.” *Id.* In considering the relevant factors, the Court finds no evidence of prejudice, bad faith, undue delay in litigation, or futility. No Defendants have been served or have appeared in this action, and Plaintiff sought leave to amend prior to the screening of the initial complaint. Accordingly, Plaintiff's motion to amend shall be granted. The Court will screen Plaintiff's first amended complaint in due course.

ORDER

Based on the foregoing, it is HEREBY ORDERED that: 1. The order to show cause issued on August 14, 2025, (ECF No. 10), is DISCHARGED; 2. Plaintiff's motion for leave to amend the complaint filed on January 22, 2025, (ECF No. 8), is GRANTED; and 3. The Court will screen Plaintiff's first amended complaint in due course.

IT IS SO ORDERED. FA. Se

Dated: _ November 19, 2025

STANLEY A. BOONE

United States Magistrate Judge