

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Dustin Lamont Crawford v. Fresno County Jail, et al.

Crawford · No. 1:25-cv-0869 JLT SAB · Decided September 12, 2025

OPINION

Crawford

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 DUSTIN LAMONT CRAWFORD,) Case No.: 1:25-cv-0869 JLT SAB) 12 Plaintiff,)

ORDER ADOPTING IN FULL THE FINDINGS

) AND RECOMMENDATIONS, DISMISSING THE

13 v.) ACTION WITHOUT PREJUDICE, AND

) DIRECTING THE CLERK OF COURT TO CLOSE

14 FRESNO COUNTY JAIL, et al.,) THIS CASE

) 15 Defendants.) (Doc. 8)) 16 17 Dustin Lamont Crawford filed a civil rights complaint, suggesting that he suffered violations of 18 his civil rights while in custody at Fresno County Jail. (See Doc. 7.) The Court screened Plaintiff's 19 second amended complaint pursuant to 28 U.S.C. § 1915A(a) and observed that Plaintiff failed "to 20 complete the portion of the form complaint that requests Plaintiff to state what civil right has been 21 violated." (Doc. 8 at 5.) The magistrate judge found, "Given the SAC fails to articulate even a short 22 and plain statement of the claim against the unspecified number of Doe 'CO/Sheriffs' Defendants, the 23 Court cannot independently discern any violation of a civil right from the face of the SAC." (Id.) 24 Consequently, the magistrate judge found that "it appears this Court lacks subject matter jurisdiction." 25 (Id.) The magistrate judge also opined leave to amend was futile, because the Court granted Plaintiff 26 "[two] opportunities to cure the deficiencies identified in the Court's previous screening orders" and 27 Plaintiff "failed to provide sufficient factual details to state a claim ... that is plausible on its face or 28 establish that this Court has subject matter jurisdiction." (Id.) Therefore, the magistrate judge 1 recommended the Court dismiss the matter without leave to amend." (/d.) 2 The Court served the Findings and Recommendations on Plaintiff and notified him that any 3 || objections were due within 14 days. (Doc. 8 at 7.) The Court advised him that the "failure to file 4 || objections within the specified time may result in the waiver of rights on appeal." (/d., citing 5 || Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014).) Plaintiff did not file objections, and the 6 || time to do so has passed. 7 According to 28 U.S.C. § 636(b)(1), this

Court performed a de novo review of this case. 8 || Having carefully reviewed the matter, the Court concludes the Findings and Recommendations are 9 || supported by the record and proper analysis. Because the Court is unable to find it has jurisdiction 10 || over this matter, dismissal without prejudice is appropriate. See *Kelly v. Fleetwood Enters., Inc.*, 377 11 || F.3d 1034, 1036 (9th Cir. 2004) (“because the district court lacked subject matter jurisdiction, the 12 || claims should have been dismissed without prejudice”); *Missouri ex rel. Koster v. Harris*, 847 F.3d 13 || 646, 656 (9th Cir. 2017) (the proper dismissal for lack of jurisdiction “is without prejudice”). Thus, 14 || the Court ORDERS: 15 1. The Findings and Recommendations dated August 15, 2025 (Doc. 8) are ADOPTED 16 full. 17 2. The second amended complaint is DISMISSED without leave to amend. 18 3. The action is DISMISSED without prejudice. 19 4. The Clerk of Court is directed to close this case. 20 21 ☐☐ IS SO ORDERED. 22 !| Dated: _ September 12, 2025 (LAW pA LU. wan

23 TED STATES DISTRICT JUDGE

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