

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

William James Gradford, Jr. v. A. Perez, et al.

Gradford v. Perez · No. 2:24-cv-2012-TLN-JDP (PS) · Decided June 20, 2025

SUMMARY

The court orders plaintiff William James Gradford Jr. to show cause why the action should not be dismissed for failure to prosecute, failure to comply with court orders, and failure to state a claim. The order gives plaintiff fourteen days to respond or file an amended complaint and warns that failure to respond will result in a recommendation of dismissal.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jeremy D. Peterson
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 20, 2025
DOCKET	2:24-cv-2012-TLN-JDP (PS)
DISPOSITION	other
PROCEDURAL POSTURE	Order to show cause issued after plaintiff failed to file an amended complaint or notice of voluntary dismissal as previously ordered.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	William James Gradford, Jr. v. A. Perez, et al.

TOPICS

sanctions civil procedure pleadings

PRACTICE AREAS

Civil procedure Federal civil rights litigation

QUESTIONS PRESENTED

- Whether the court may require plaintiff to show cause why the action should not be dismissed for failure to prosecute, failure to obey court orders, and failure to state a claim.

2. Whether plaintiff's failure to comply with the prior order warranted an order directing him to file an amended complaint or explain why the case should not be dismissed.

HOLDINGS

1. A federal court has inherent authority to control its docket and may impose sanctions, including dismissal, for failure to prosecute, failure to obey a court order, or failure to comply with local rules.

KEY QUOTATIONS

“The court has the inherent power to control its docket and may, in the exercise of that power, impose sanctions where appropriate, including dismissal.” (1)

“A court may dismiss an action based on a party’s failure to prosecute an action, failure to obey a court order, or failure to comply with local rules.” (1)

FACTUAL BACKGROUND

The court had previously screened plaintiff's complaint and dismissed it for failure to state a claim. Plaintiff then failed to comply with the court's order requiring him to file either an amended complaint or a notice of voluntary dismissal within thirty days.

PROCEDURAL HISTORY

On May 1, 2025, the court screened plaintiff's complaint and dismissed it for failure to state a claim. The court allowed plaintiff thirty days to file either an amended complaint or a notice of voluntary dismissal, but plaintiff did not comply. The court therefore ordered plaintiff to show cause within fourteen days why the action should not be dismissed and directed him to file an amended complaint if he wished to continue the lawsuit.

DISPOSITION

other

CASES CITED

- *Bautista v. Los Angeles County*, 216 F.3d 837, 841 (9th Cir. 2000)
- *Henderson v. Duncan*, 779 F.2d 1421, 1424 (9th Cir. 1986)