

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Sanchez de Tagle v. Nguyen

Sanchez de Tagle · No. 25-cv-01886-VKD · Decided April 11, 2025

SUMMARY

The United States District Court for the Northern District of California ordered the plaintiff to show cause why the action should not be dismissed for failure to prosecute. The order states that the plaintiff failed to file an amended complaint by the court-ordered deadline and directs him to respond by April 25, 2025, warning that nonresponse may lead to reassignment and a recommendation for dismissal.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Virginia K. DeMarchi
JURISDICTION	United States District Court for the Northern District of California
DECIDED	April 11, 2025
DOCKET	25-cv-01886-VKD
DISPOSITION	other
PROCEDURAL POSTURE	After screening the complaint and granting plaintiff leave to amend, the court issued an order to show cause why the action should not be dismissed for failure to prosecute and failure to comply with court orders.
PRECEDENTIAL VALUE	unknown
PARTIES	Orlando Sanchez de Tagle v. Derick Nguyen

TOPICS

- civil procedure
- pleadings
- service of process

PRACTICE AREAS

- Civil procedure
- Federal courts

QUESTIONS PRESENTED

1. Whether the court should require plaintiff to show cause why the action should not be dismissed for failure to prosecute and failure to comply with court orders.
2. Whether the court possesses inherent authority to dismiss an action sua sponte to ensure the orderly and expeditious disposition of cases.

HOLDINGS

1. A federal court possesses inherent power to dismiss an action sua sponte to achieve the orderly and expeditious disposition of cases.

KEY QUOTATIONS

“to achieve the orderly and expeditious disposition of cases.” (at 1)

FACTUAL BACKGROUND

The court had screened Sanchez de Tagle's complaint and stayed service of process. Plaintiff was granted leave to file an amended complaint by March 28, 2025, but the docket showed that no amended complaint had been filed by that deadline. The court therefore required plaintiff to explain why the action should not be dismissed for failure to prosecute.

PROCEDURAL HISTORY

On March 5, 2025, the court screened plaintiff's complaint, stayed service of process, and granted leave to file an amended complaint by March 28, 2025. Plaintiff did not file an amended complaint by the deadline. The court ordered plaintiff to respond by April 25, 2025, warning that failure to respond would result in reassignment to a district judge with a recommendation for dismissal.

DISPOSITION

other

CASES CITED

- Link v. Wabash R.R. Co., 370 U.S. 626, 629-33 (1962)

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 NORTHERN DISTRICT OF CALIFORNIA 6
SAN JOSE DIVISION 7 8 ORLANDO SANCHEZ DE TAGLE, Case No. 25-cv-01886-VKD 9
Plaintiff, ORDER TO SHOW CAUSE WHY 10 v. CASE SHOULD NOT BE DISMISSED FOR
FAILURE TO PROSECUTE 11 DERICK NGUYEN, Defendant. 12 13 14 On March 5, 2025, the
Court issued an order screening Mr. Sanchez de Tagle's complaint, 15 staying service of process,
and giving Mr. Sanchez de Tagle leave to file an amended complaint by 16 March 28, 2025.

Dkt. No. 5. The order stated that “[i]f Mr. Sanchez de Tagle fails to file an 17 amended complaint in time,” then his complaint would be subject to dismissal. Id. at 1, 4-5. The 18 March 28, 2025 deadline has passed, and the docket indicates that Mr. Sanchez de Tagle has not 19 filed an amended complaint. 20 The Court possesses the inherent power to dismiss an action sua sponte “to achieve the 21 orderly and expeditious disposition of cases.” Link v. Wabash R.R.

Co., 370 U.S. 626, 629-33 22 (1962). By April 25, 2025, Mr. Sanchez de Tagle shall file a written response to this order 23 explaining why this action should not be dismissed for his failure to prosecute his case. If Mr. 24 Sanchez de Tagle does not respond to this order by the April 25, 2025 deadline, the Court will 25 issue an order reassigning this action to a district judge with a recommendation that the complaint 26 /// 27 /// 1 be dismissed for failure to prosecute and/or to comply with court orders.

2 IT IS SO ORDERED. 3 || Dated: April 11, 2025 4 5 Unragiia. NMarehe: Virginia K. DeMarchi
6 United States Magistrate Judge 4 8 9 10 11 12 © 15 16 = 17 Z 18 19 20 21 22 23 24 25 26 27 28