

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Estrada v. Duran

Estrada · No. 1:23-cv-0609 JLT GSA (PC) · Decided May 22, 2025

SUMMARY

The United States District Court for the Eastern District of California dismissed Rudolph F. Estrada’s civil rights action without prejudice for failure to prosecute and failure to maintain a current mailing address under Local Rule 183(b). The court also terminated pending findings and recommendations as moot and directed the Clerk of Court to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	May 22, 2025
DOCKET	1:23-cv-0609 JLT GSA (PC)
DISPOSITION	dismissed
PROCEDURAL POSTURE	The pro se prisoner plaintiff's civil-rights action was dismissed by the district court without prejudice for failure to prosecute and failure to comply with the local rule requiring him to maintain a current mailing address.
STANDARD OF REVIEW	The court applied the Ninth Circuit's five-factor standard for dismissal for failure to prosecute and failure to comply with court rules: the public interest in expeditious resolution, the court's need to manage its docket, prejudice to defendants, the public policy favoring disposition on the merits, and the availability of less drastic sanctions.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status not specified in the source.
PARTIES	Rudolph F. Estrada v. Russell Duran, et al.

TOPICS

- sanctions
- civil procedure
- prisoners rights
- section 1983

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the action should be dismissed without prejudice for failure to prosecute and failure to comply with Eastern District of California Local Rule 183(b).
2. Whether the Ninth Circuit's five-factor dismissal analysis supported dismissal and whether a lesser sanction was feasible.

HOLDINGS

1. A pro se plaintiff's failure to notify the court and opposing parties of a current address within thirty days after court mail is returned undeliverable permits dismissal without prejudice for failure to prosecute under Local Rule 183(b).
2. Dismissal for failure to prosecute was warranted because the public interest in expeditious resolution, the court's need to manage its docket, the presumption of prejudice from delay, and the unavailability of a feasible lesser sanction outweighed the policy favoring disposition on the merits.

KEY QUOTATIONS

“A party appearing in propria persona shall keep the Court and opposing parties advised as to his or her current address.” (at 1)

“To determine whether to dismiss an action for failure to prosecute, the Court must consider several factors, including: “(1) the public’s interest in expeditious resolution of litigation; (2) the court’s need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of cases on their merits; and (5) the availability of less drastic sanctions.”” (at 2)

“The factors identified by the Ninth Circuit weigh in favor of terminating sanctions for Plaintiff’s failure to keep the Court informed of his current mailing address as required by Local Rule 183(b).” (at 3)

FACTUAL BACKGROUND

Rudolph F. Estrada filed a civil-rights complaint concerning alleged conduct while he was housed at the Fresno County Jail. Court correspondence sent to him was returned by the United States Postal Service on March 24, 2025, marked as undeliverable and indicating that he was not in custody. Estrada did not notify the court or opposing parties of a current address within thirty days, despite a prior warning that failure to do so could result in dismissal.

PROCEDURAL HISTORY

Estrada initiated an action under 42 U.S.C. § 1983 concerning alleged civil-rights violations at the Fresno County Jail. Court correspondence was returned as undeliverable on March 24, 2025, and Estrada did not provide an updated address within thirty days. After considering the Ninth Circuit's dismissal factors and the prior warning given to Estrada, the court dismissed the action without prejudice, terminated pending findings and recommendations as moot, and directed the clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Henderson v. Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986)
- Ghazali v. Moran, 46 F.3d 52, 53-54 (9th Cir. 1995)
- Ferdik v. Bonzelet, 963 F.2d 1258, 1260-62 (9th Cir. 1992)
- Yourish v. Cal. Amplifier, 191 F.3d 983, 990 (9th Cir. 1999)
- Malone v. U.S. Postal Service, 833 F.2d 128, 131, 133 n.2 (9th Cir. 1987)
- Rubin v. Belo Broadcasting Corp., 769 F.2d 611, 618 (9th Cir. 1985)
- Anderson v. Air West, 542 F.2d 522, 524 (9th Cir. 1976)
- Titus v. Mercedes Benz of N. Am., 695 F.2d 746, 749 n.6 (3d Cir. 1982)
- Gaston v. Marean, 2020 WL 4059200, at *3 (E.D. Cal. July 20, 2020)