

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Omar Martin v. Knight, et al.

Martin v. Knight · No. 1:22-cv-01582-KES-BAM (PC) · Decided September 17, 2025

SUMMARY

The United States Magistrate Judge recommends dismissal without prejudice of Omar Martin’s 42 U.S.C. § 1983 action against Defendant Knight for failure to prosecute. The recommendation is based on Martin’s failure to update his address or otherwise communicate with the Court after mail was returned as undeliverable. The parties were given fourteen days to file objections.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Barbara A. McAuliffe
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	September 17, 2025
DOCKET	1:22-cv-01582-KES-BAM (PC)
DISPOSITION	other
PROCEDURAL POSTURE	Findings and recommendations by a magistrate judge recommending sua sponte dismissal without prejudice for failure to prosecute because the pro se prisoner plaintiff failed to update his address or communicate with the court.
STANDARD OF REVIEW	Dismissal for failure to prosecute is governed by a balancing of five factors: the public interest in expeditious resolution, the court’s need to manage its docket, the risk of prejudice to defendants, the public policy favoring disposition on the merits, and the availability of less drastic sanctions. The factors guide the court and are not mandatory conditions that must all be satisfied.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- civil procedure
- sanctions
- prisoners rights
- section 1983
- civil rights

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the action should be dismissed without prejudice for failure to prosecute after the pro se plaintiff failed to keep the court apprised of his current address.
2. Whether the five-factor failure-to-prosecute analysis supported dismissal under Federal Rule of Civil Procedure 41(b) and Local Rule 183(b).

HOLDINGS

1. A pro se plaintiff's failure to update the court and opposing parties after court mail is returned as undeliverable, together with the plaintiff's failure to otherwise communicate with the court, may support dismissal without prejudice for failure to prosecute.
2. Dismissal without prejudice was warranted because the factors favoring expeditious resolution and docket management, combined with the absence of reasonable alternatives due to the court's inability to communicate with Martin, outweighed the policy favoring disposition on the merits.

KEY QUOTATIONS

“In determining whether to dismiss an action for lack of prosecution, the district court is required to weigh several factors: (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 1)

“Given Plaintiff’s failure to update his address or communicate with the Court, the expeditious resolution of litigation and the Court’s need to manage its docket weigh in favor of dismissal.” (at 2)

FACTUAL BACKGROUND

Martin was a state prisoner proceeding pro se and in forma pauperis in a § 1983 action alleging that Defendant Knight was deliberately indifferent to a medical need arising from an April 10, 2020 incident. Court mail containing prior findings and recommendations was returned as undeliverable on June 25, 2025, making Martin's change-of-address notice due by July 25, 2025. Martin neither filed a change of address nor otherwise communicated with the court.

PROCEDURAL HISTORY

Omar Martin brought a 42 U.S.C. § 1983 action against Knight concerning alleged deliberate indifference to a medical need. Defendant Knight moved for summary judgment based on failure to exhaust administrative remedies. The magistrate judge recommended denial of that motion, and the district judge adopted the recommendation on September 15, 2025. After court mail was returned as undeliverable, Martin failed to file a change of address or otherwise contact the court, leading to these findings and recommendations recommending dismissal without prejudice.

DISPOSITION

other

CASES CITED

- Carey v. King, 856 F.2d 1439, 1440-41 (9th Cir. 1988)
- Omstead v. Dell, Inc., 594 F.3d 1081, 1084 (9th Cir. 2010)
- In re Phenylpropanolamine (PPA) Products Liability Litigation, 460 F.3d 1217, 1226-29 (9th Cir. 2006)
- Hells Canyon Pres. Council v. U.S. Forest Serv., 403 F.3d 683, 689 (9th Cir. 2005)
- Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)
- Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/united-states-district-court-for-the-eastern-district-of-california-united-states-district-court-for/2025/omar-martin-v-knight-et-al-y3md8s00>