

1
2
3
4
5
6
7
8
9
10
11

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CHEYANNE SYLVE, individually;
TRISTAN HILL, individually,

Plaintiffs,

CARLY ROSE UYEMATSU, individually;
SAMUEL ESPINOSA RAMIREZ,
individually; DOE INDIVIDUALS 1-20,
inclusive; and ROE CORPORATIONS 1-
20, inclusive,

Defendants.

Case No.: 2:24-cv-00716-GMN-DJA

**ORDER OF DISMISSAL BY COURT
FOR WANT OF PROSECUTION**

12 This action has been pending in this Court for more than two-hundred-seventy (270)
13 days without any proceeding having been undertaken during such period. On January 30, 2025,
14 the Court provided notice that if no action was taken within thirty (30) days, the Court would
15 “enter an order of dismissal for want of prosecution.” (Notice Regarding Intent Dismiss, ECF
16 No. 9). To date, the parties have not taken any action, and the deadline to do so has passed.

17 Federal Rule of Civil Procedure (“Fed. R. Civ. P.”) 41(b) permits dismissal of an action
18 for the failure to prosecute or comply with rules or a court order. Fed. R. Civ. P. 41(b). In
19 addition, Local Rule 41-1 provides that a civil action that has been pending for more than two-
20 hundred-seventy (270) days without any proceeding of record may, after notice, be dismissed
21 for want of prosecution by the court *sua sponte*.

22 Considering the length of the delay, and the parties’ failure to provide a reason for the
23 delay, the Court finds that dismissal is appropriate under Fed. R. Civ. P. 41(b) and Local Rule
24 41-1. *See Street v. Baca*, No. 3:16-cv-00266, 2018 WL 3581143, at *1 (D. Nev. Apr. 20, 2018)
25 (recommending dismissal of a case under both Fed. R. Civ. P. 41(b) and Local Rule 41-1 where

1 it had “been more than 270 days since Plaintiff filed his notice of change of address, with no
2 other filing by Plaintiff indicating an intent to prosecute this action”), *report and*
3 *recommendation adopted*, (D. Nev. July 25, 2018).

4 Accordingly,

5 **IT IS HEREBY ORDERED** that the above-entitled action is **DISMISSED**
6 **WITHOUT PREJUDICE** for want of prosecution pursuant to Fed. R. Civ. P. 41(b) and Local
7 Rule 41-1.

8 The Clerk of Court is kindly instructed to close the case.

9 **DATED** this 5 day of March, 2025.

10
11
12
13 
14 _____
15 GLORIA M. NAVARRO, DISTRICT JUDGE
16 UNITED STATES DISTRICT COURT
17
18
19
20
21
22
23
24
25