

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
GEORGIA, MACON DIVISION

Raheeam Partridge v. Georgia Department of Corrections, et al.

No. 5:25-CV-00311-MTT-CHW (M.D. Ga. Dec. 10, 2025) · No. No. 5:25-CV-00311-MTT-CHW · Decided
December 10, 2025

SUMMARY

The court dismissed Raheeam Partridge’s pro se 42 U.S.C. § 1983 action without prejudice after he failed to recast his complaint or respond to repeated orders to show cause. The dismissal was based on failure to comply with court orders and failure to prosecute under Federal Rule of Civil Procedure 41(b).

CASE DETAILS

COURT	United States District Court for the Middle District of Georgia, Macon Division
WRITING FOR THE COURT	Marc T. Treadwell
JURISDICTION	United States District Court for the Middle District of Georgia, Macon Division
DECIDED	December 10, 2025
DOCKET	No. 5:25-CV-00311-MTT-CHW
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se prisoner plaintiff filed a 42 U.S.C. § 1983 complaint and failed to comply with repeated orders to recast the complaint and show cause. The district court dismissed the action without prejudice for failure to comply with court orders and failure to prosecute.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- civil procedure
- section 1983
- prisoners rights

PRACTICE AREAS

- civil procedure
- civil rights
- prisoner litigation

QUESTIONS PRESENTED

1. Whether the district court may dismiss a pro se prisoner's § 1983 action without prejudice under Federal Rule of Civil Procedure 41(b) when the plaintiff fails to comply with court orders and fails to prosecute.

HOLDINGS

1. A district court may dismiss an action sua sponte under Federal Rule of Civil Procedure 41(b) for failure to prosecute or failure to obey a court order, and dismissal without prejudice was warranted because Plaintiff repeatedly failed to comply with the court's orders.

KEY QUOTATIONS

“The court may dismiss an action sua sponte under Rule 41(b) for failure to prosecute or failure to obey a court order.” (at 2)

FACTUAL BACKGROUND

Raheem Partridge, a prisoner at Macon State Prison, filed a pro se § 1983 complaint. The court ordered him to recast the complaint and later repeatedly directed him to show cause why the case should not be dismissed if he failed to comply. Plaintiff did not respond to the orders or file the required recast complaint.

PROCEDURAL HISTORY

Plaintiff filed a § 1983 complaint. The court ordered him to recast the complaint, then issued multiple orders to show cause after he failed to comply. Plaintiff did not respond or file a recast complaint, and the court dismissed the action without prejudice under Federal Rule of Civil Procedure 41(b).

DISPOSITION

dismissed

CASES CITED

- Brown v. Tallahassee Police Dep't, 205 F. App'x 802, 802 (11th Cir. 2006)
- Lopez v. Aransas Cty. Indep. Sch. Dist., 570 F.2d 541, 544 (5th Cir. 1978)
- Duong Thanh Ho v. Costello, 757 F. App'x 912 (11th Cir. 2018)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION RAHEEM PARTRIDGE,; Plaintiff:: NO. 5:25-CV-00311-MTT-CHW VS.:
GEORGIA DEPARTMENT OF: CORRECTIONS, et al.,; Defendants:
_____ ORDER Pro se Plaintiff Raheem Partridge, a prisoner
at the Macon State Prison in Oglethorpe, Georgia, filed a 42 U.S.C. § 1983 complaint.

ECF No. 1. On August 26, 2025, Plaintiff was ordered to recast his complaint and provided instructions on how to do so. ECF No. 4. Plaintiff was given fourteen days to comply with the

Court's order and was informed that failure to comply could result in dismissal of this action. Id. Plaintiff failed to respond.

Therefore, on September 29, 2025, Plaintiff was ordered to show cause why this civil action should not be dismissed for failure to respond to a Court Order. ECF No. 5. Plaintiff was given fourteen days to respond or otherwise submit his recast complaint. Id. Plaintiff failed to file a recast complaint. Generously, on November 4, 2025, the Court again notified Plaintiff that he failed to file a recast complaint as instructed.

ECF No. 6. Plaintiff was again ordered to show cause within fourteen days why this action should not be dismissed for failure to comply with the Court's order. Id. The Court informed Plaintiff that this action could be dismissed if he failed to respond to the order to show cause or otherwise file his amended complaint as instructed. Id. Plaintiff was given fourteen (14) days to comply with the Court's order.

Plaintiff has failed to respond. Because Plaintiff has failed to comply with the Court's orders or otherwise prosecute this case, his complaint is DISMISSED WITHOUT PREJUDICE. See Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) ("The court may dismiss an action sua sponte under Rule 41(b) for failure to prosecute or failure to obey a court order.") (citing Fed.

R. Civ. P. 41(b) and *Lopez v. Aransas Cty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)); *Duong Thanh Ho v. Costello*, 757 F. App'x 912 (11th Cir. 2018) (holding that the district court did not abuse its discretion in sua sponte dismissing without prejudice prisoner's pro se § 1983 complaint for failure to comply with court order to file amended complaint where order expressly informed prisoner of deficiencies in his complaint and rules that he needed to follow in filing amended complaint).

SO ORDERED, this 10th day of December, 2025. S/ Marc T. Treadwell_____ MARC T. TREADWELL, JUDGE UNITED STATES DISTRICT COURT 2