

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
INDIANA

Miranda Monday v. Transjet Cargo LLC

Monday · No. 1:23-cv-01624-TWP-MKK · Decided December 23, 2025

SUMMARY

The United States District Court for the Southern District of Indiana overruled Miranda Monday’s objection to a magistrate judge’s report and recommendation. The court adopted the recommendation and dismissed the action without prejudice based on Monday’s repeated failures to comply with court orders, appear at proceedings, and file required witness and exhibit lists. The court vacated the scheduled pretrial conference and jury trial dates.

CASE DETAILS

COURT	United States District Court for the Southern District of Indiana
WRITING FOR THE COURT	Tanya Walton Pratt
JURISDICTION	United States District Court for the Southern District of Indiana
DECIDED	December 23, 2025
DOCKET	1:23-cv-01624-TWP-MKK
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court conducted de novo review of a magistrate judge's report and recommendation recommending dismissal without prejudice as a sanction for Plaintiff's repeated failures to comply with court orders and appear for proceedings.
STANDARD OF REVIEW	De novo review of specific objections to a magistrate judge's report and recommendation on a dispositive matter, including whether the recommendation is supported by substantial evidence and is free of legal error.
PRECEDENTIAL VALUE	Unknown; district court order identified as unpublished and with unknown precedential status.
PARTIES	Miranda Monday v. Transjet Cargo LLC

TOPICS

- sanctions
- civil procedure

PRACTICE AREAS

civil procedure

sanctions

failure to prosecute

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's recommendation after conducting de novo review of Plaintiff's objection.
2. Whether dismissal without prejudice was a proportionate sanction for Plaintiff's repeated failures to appear, comply with court orders, and prosecute the action.

HOLDINGS

1. A district court must review specific objections to a magistrate judge's dispositive report and recommendation de novo and make the ultimate decision whether to adopt, reject, or modify the recommendation.
2. Dismissal without prejudice is warranted when a litigant repeatedly fails to appear and comply with court orders despite warnings, and the dismissal is proportionate to the conduct and resulting prejudice.

KEY QUOTATIONS

"The magistrate judge's recommendation on a dispositive matter is not a final order, and the district judge makes the ultimate decision to adopt, reject, or modify it." (Section I)

"pro se litigants are not excused from compliance with procedural rules" (Section II)

"Sanctions, including dismissal, must be proportionate to the circumstances." (Section II)

FACTUAL BACKGROUND

Plaintiff failed to appear at three court proceedings, including a December 8, 2025 telephonic status conference, despite repeated warnings that noncompliance could result in dismissal. She also failed to file the court-ordered final witness and exhibit lists before the impending pretrial conference and jury trial. The district court found that these repeated failures prejudiced Defendant's ability to proceed and impaired the orderly administration of the court's docket.

PROCEDURAL HISTORY

The magistrate judge recommended dismissal without prejudice after Plaintiff failed to appear for a December 8, 2025 telephonic status conference, following two prior unexcused absences and repeated failures to comply with court orders. Plaintiff objected, asserting that she had confused the court dates with a separate state-court matter. The district court overruled the objection, adopted the report and recommendation, dismissed the action without prejudice, vacated the scheduled pretrial conference and jury trial, and directed that final judgment issue separately.

DISPOSITION

dismissed

CASES CITED

- Schur v. L.A. Weight Loss Ctrs., Inc., 577 F.3d 752, 760 (7th Cir. 2009)
- Johnson v. Zema Sys. Corp., 170 F.3d 734, 739 (7th Cir. 1999)
- Pearle Vision, Inc. v. Romm, 541 F.3d 751, 758 (7th Cir. 2008)
- Members v. Paige, 140 F.3d 699, 702 (7th Cir. 1998)
- Secrease v. W. & S. Life Ins., 800 F.3d 397, 401 (7th Cir. 2015)
- S.E.C. v. First Choice Mgmt. Servs., 678 F.3d 538, 543 (7th Cir. 2012)
- Greviskes v. Universities Rsch. Ass'n, Inc., 417 F.3d 752, 759 (7th Cir. 2005)
- Donelson v. Hardy, 931 F.3d 565, 569 (7th Cir. 2019)

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