

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
OKLAHOMA**

Jackey White v. Adair County Jail, et al.

White · No. 26-CV-133-JFH-JAR · Decided June 26, 2026

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF OKLAHOMA JACKEY WHITE, Plaintiff, v. Case No. 26-CV-133-JFH-JAR ADAIR COUNTY JAIL, et al., Defendants. ORDER Plaintiff Jackey White (“Plaintiff”), a pretrial detainee appearing pro se, initiated this federal civil rights action pursuant to 42 U.S.C. § 1983 on May 4, 2026. Dkt. No. 1. That same date, the Court directed Plaintiff to pay the \$350 filing fee and \$55 administrative fee or file a motion for leave to proceed in forma pauperis within twenty (20) days.

Dkt. No. 2. The Court advised Plaintiff that failure to comply with the Court’s Order may result in the dismissal of the action. Id. As of this date, Plaintiff has failed to pay the filing and administrative fees, file a motion for leave to proceed in forma pauperis, or seek an extension of time in which to do so.

Under Rule 41(b) of the Federal Rules of Civil Procedure, if a plaintiff “fails to prosecute or to comply with... a court order,” the Court may dismiss the action. Fed. R. Civ. P. 41(b). “[T]he Rule has long been interpreted to permit courts to dismiss actions sua sponte for a plaintiff’s failure to prosecute or comply with the rules of civil procedure or court’s orders.” *Olsen v. Mapes*, 333 F.3d 1199, 1204 n.3 (10th Cir.

2003). If the dismissal is without prejudice, the Court may “enter [the] order without attention to any particular procedures.” *AdvantEdge Bus. Grp. v. Thomas E. Mestmaker & Assocs., Inc.*, 552 F.3d 1233, 1236 (10th Cir. 2009) (internal quotation marks omitted).

As outlined above, Plaintiff has failed to comply with the Court’s May 4, 2026, Order. Plaintiff’s failure to pay the filing and administrative fees or submit a motion for leave to proceed in forma pauperis leaves the Court unable “to achieve [an] orderly and expeditious” resolution of this action. *Link v. Wabash R.R.*, 370 U.S. 626, 629-31 (1962) (discussing the inherent power of a court to dismiss suits for lack of prosecution on its own initiative).

IT IS THEREFORE ORDERED that Plaintiff's action is DISMISSED WITHOUT PREJUDICE under Rule 41(b) of the Federal Rules of Civil Procedure. A separate judgment of dismissal shall be entered in this matter. Dated this 26th day of June, 2026. C)eteé tL2wW JOHN F. HEIL, I
CHIEF UNY¥TED STATES DISTRICT JUDGE

