

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
TENNESSEE, EASTERN DIVISION

Shapiro v. Campanelli

Shapiro · No. 1:25-cv-1289-STA-jay · Decided March 23, 2026

SUMMARY

The United States District Court for the Western District of Tennessee adopted a magistrate judge’s report and recommendation and dismissed John Shapiro’s 42 U.S.C. § 1983 action without prejudice for failure to prosecute and failure to comply with court orders. The court also certified that any appeal would not be taken in good faith and denied Plaintiff the ability to proceed in forma pauperis on appeal.

CASE DETAILS

COURT	United States District Court for the Western District of Tennessee, Eastern Division
JURISDICTION	United States District Court for the Western District of Tennessee, Eastern Division
DECIDED	March 23, 2026
DOCKET	1:25-cv-1289-STA-jay
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's report and recommendation recommending sua sponte dismissal without prejudice for failure to prosecute and failure to comply with court orders. No objections were filed, and the district court adopted the recommendation and entered an order of dismissal.
STANDARD OF REVIEW	De novo review applies to portions of a magistrate judge's disposition to which a specific objection is properly made; issues not objected to need not be reviewed de novo or under any other standard, and unobjected-to findings and rulings should be adopted.
PRECEDENTIAL VALUE	Unknown; district-court order with no reporter citation
PARTIES	John Shapiro v. Joy Campanelli

TOPICS

- civil procedure
- appellate procedure
- section 1983
- standard of review

PRACTICE AREAS

Civil procedure

Appellate procedure

Civil rights

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's report and recommendation when no objections were filed.
2. Whether the action should be dismissed without prejudice for failure to prosecute and failure to comply with court orders.
3. Whether Shapiro should be permitted to proceed in forma pauperis on appeal.

HOLDINGS

1. When no specific objection is filed to a magistrate judge's recommendation, the district court is not required to conduct de novo review and may adopt the recommendation.
2. The action was properly dismissed without prejudice because Shapiro failed to prosecute, failed to update his address as ordered, failed to respond to the show-cause order, and failed to object to the recommendation.
3. Shapiro may not proceed in forma pauperis on appeal because the district court certified that an appeal would not be taken in good faith.

KEY QUOTATIONS

"In the absence of any objection to the Magistrate Judge's recommendation, the Court hereby ADOPTS the Magistrate Judge's report and recommendation."

"The Court DISMISSES the case without prejudice."

"It is therefore CERTIFIED, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal in this matter by Plaintiff would not be taken in good faith and Plaintiff may not proceed on appeal in forma pauperis."

FACTUAL BACKGROUND

Shapiro asserted civil-rights claims under 42 U.S.C. § 1983. Court mail sent to him was returned as undeliverable, but he failed to update his mailing address after being ordered to do so. He also failed to respond to a subsequent show-cause order and did not object to the magistrate judge's recommendation that the action be dismissed without prejudice.

PROCEDURAL HISTORY

Shapiro brought a civil-rights action under 42 U.S.C. § 1983. After court mail was returned as undeliverable, the magistrate judge ordered Shapiro to update his address and later ordered him to show cause why the case should not be dismissed. Shapiro did not comply with either order or respond to the report and recommendation, so the magistrate judge recommended dismissal without prejudice. The district court adopted the recommendation, dismissed the case without prejudice, directed the clerk to enter judgment, and certified that any appeal would not be taken in good faith.

DISPOSITION

dismissed

CASES CITED

- United States v. Curtis, 237 F.3d 598, 602 (6th Cir. 2001)
- Gomez v. United States, 490 U.S. 858, 869-70 (1989)
- Baker v. Peterson, 67 F. App'x 308, 310 (6th Cir. 2003)
- Thomas v. Arn, 474 U.S. 140, 150-51 (1985)
- Cruz v. Hauck, 404 U.S. 59, 62 (1971) (Douglas, J., concurring)
- Coppedge v. United States, 369 U.S. 438, 445 (1962)
- McGore v. Wigglesworth, 114 F.3d 601, 610, 612-13 (6th Cir. 1997)
- Floyd v. United States Postal Serv., 105 F.3d 274, 276 (6th Cir. 1997)

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