

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WISCONSIN

John Cecot, Jr. v. CO Zielinski

No. 25-CV-148, United States District Court for the Eastern District of Wisconsin (April 13, 2026)

SUMMARY

The United States District Court for the Eastern District of Wisconsin grants the defendant's motion to dismiss under Federal Rules of Civil Procedure 37 and 41(b). The case is dismissed with prejudice because the pro se plaintiff failed to participate in discovery, update his address, and respond to communications.

CASE DETAILS

COURT	United States District Court for the Eastern District of Wisconsin
JURISDICTION	United States District Court for the Eastern District of Wisconsin
DECIDED	April 13, 2026
DOCKET	25-CV-148
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant moved to dismiss the prisoner's civil-rights action for failure to participate in discovery, failure to respond to discovery requests, and failure to maintain a current address. The district court granted the motion and dismissed the action with prejudice.
PRECEDENTIAL VALUE	Unknown; district court order with no reported citation.
PARTIES	John Cecot, Jr. v. CO Zielinski

TOPICS

- motions to dismiss
- discovery dispute
- sanctions
- civil procedure
- final judgment rule

PRACTICE AREAS

- civil procedure
- prisoner civil rights
- discovery sanctions
- failure to prosecute

QUESTIONS PRESENTED

1. Whether the action should be dismissed with prejudice under Federal Rule of Civil Procedure 41(b) because the plaintiff failed to participate in discovery and failed to maintain a current address.

HOLDINGS

1. A district court may dismiss an action with prejudice under Federal Rule of Civil Procedure 41(b) when a plaintiff fails to respond to discovery, becomes unreachable, and fails to comply with an order or warning requiring the plaintiff to maintain a current address.

KEY QUOTATIONS

“Usually, the court would give Cecot one final opportunity to either respond to discovery or file a letter explaining why he cannot. However, the court notes that it has tried to mail Cecot several filings and they were returned. As such, the court will grant Zielinski’s motion to dismiss. Dismissal is with prejudice.”

FACTUAL BACKGROUND

The defendant served discovery requests on October 16, 2025, and Cecot later appeared for his December 18, 2025 deposition, where he acknowledged receiving the requests and obtained a thirty-day extension to respond. Cecot did not provide responses by the January 22, 2026 deadline, did not file the promised motion for an additional extension, became unreachable, and failed to update his address despite a prior warning that the case could be dismissed.

PROCEDURAL HISTORY

After being released from custody, Cecot failed to provide the court with an updated address and did not serve discovery responses by the extended deadline agreed to by the defendant. The defendant moved to dismiss under Federal Rules of Civil Procedure 37 and 41(b). The court granted the motion, dismissed the case with prejudice, and directed the Clerk to enter judgment.

DISPOSITION

dismissed

CASES CITED

- Ledford v. Waldo, No. 23-2463, 2024 WL 1104785, at *2 (7th Cir. Mar. 14, 2024)