

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA

Thomas Alexander Ford v. Greystar Property Management

Ford · No. 1:26-cv-20909-DPG · Decided May 14, 2026

SUMMARY

The United States District Court for the Southern District of Florida adopts a magistrate judge’s Report and Recommendation and dismisses the plaintiff’s complaint without prejudice. The dismissal is based on the plaintiff’s failure to pay the filing fee or submit a sufficient motion to proceed in forma pauperis, and the case is closed.

CASE DETAILS

COURT	United States District Court for the Southern District of Florida
WRITING FOR THE COURT	Darrin P. Gayles
JURISDICTION	United States District Court for the Southern District of Florida
DECIDED	May 14, 2026
DOCKET	1:26-cv-20909-DPG
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's unobjected-to report and recommendation recommending dismissal without prejudice after the pro se plaintiff failed to pay the filing fee or file a compliant in forma pauperis motion.
STANDARD OF REVIEW	The district court reviews specific objections to a magistrate judge's report and recommendation de novo and reviews unobjected-to portions for clear error.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- civil procedure
- pleadings

PRACTICE AREAS

- civil procedure
- federal courts

QUESTIONS PRESENTED

1. Whether the district court should review the unobjected-to report and recommendation for clear error.
2. Whether the complaint should be dismissed without prejudice after plaintiff failed to pay the filing fee or submit a compliant in forma pauperis motion despite court orders.

HOLDINGS

1. When no specific objection is made to a magistrate judge's report and recommendation, the district court reviews the report for clear error.
2. The complaint may be dismissed without prejudice when the plaintiff fails to pay the filing fee or file a compliant in forma pauperis motion despite being given multiple opportunities and a show-cause order.

KEY QUOTATIONS

“Given that the parties have not objected to any portion of the Report, the Court reviewed the Report for clear error.”

“Finding no clear error, the Court agrees with Judge Shaw-Wilder’s findings and conclusion that this case should be dismissed without prejudice.”

FACTUAL BACKGROUND

Thomas Alexander Ford filed a complaint against Greystar Property Management and contemporaneously sought leave to proceed in forma pauperis. The court denied the handwritten motion because key information was unclear, directed him to refile it, and later ordered him either to pay the filing fee or file a new motion. Ford did neither by the applicable deadlines.

PROCEDURAL HISTORY

Plaintiff filed a complaint and an in forma pauperis motion. After the court denied the handwritten motion and ordered plaintiff to refile it or pay the filing fee, plaintiff did neither; he also failed to comply with a subsequent order to show cause. The magistrate judge recommended dismissal without prejudice, plaintiff filed no objections, and the district court reviewed the report for clear error, adopted it in full, dismissed the complaint without prejudice, denied pending motions as moot, and closed the case.

DISPOSITION

dismissed

CASES CITED

- United States v. Schultz, 565 F.3d 1353, 1360 (11th Cir. 2009)
- Liberty Am. Ins. Grp., Inc. v. WestPoint Underwriters, L.L.C., 199 F. Supp. 2d 1271, 1276 (M.D. Fla. 2001)
- Macort v. Prem, Inc., 208 F. App'x 781, 784 (11th Cir. 2006)

OPINION

Ford

PER CURIAM.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No.: 1:26-cv-20909-DPG

THOMAS ALEXANDER FORD,

Plaintiff, v.

GREYSTAR PROPERTY MANAGEMENT,

Defendant. _____/

ORDER

THIS CAUSE comes before the Court on the Report and Recommendation of Magistrate Judge Detra Shaw-Wilder (the “Report”). [ECF No. 10]. On February 11, 2026, pro se Plaintiff Thomas Alexander Ford (“Plaintiff”) filed a Complaint against Defendant Greystar Property Management (“Defendant”). [ECF No. 1]. Contemporaneously, Plaintiff filed a Motion for leave to proceed in forma pauperis (“IFP Motion”). [ECF No. 4]. The Court denied Plaintiff’s handwritten IFP Motion because the Court was “unable to discern several key pieces of Plaintiff’s information that would assist the Court in making an informed decision on the [IFP] Motion.” [ECF No. 6]. The Court instructed Plaintiff to refile an IFP Motion by or before March 26, 2026. *Id.* Plaintiff did not refile an IFP Motion by March 26, 2026. Then, on April 1, 2026, the Court entered a sua sponte order to show cause, ordering Plaintiff to either (1) pay the filing fee, or (2) file an IFP Motion by April 22, 2026. [ECF No. 7]. To date, Plaintiff has neither paid the filing fee nor filed an IFP Motion. On April 28, 2026, Judge Shaw-Wilder issued her Report recommending that the Court exercise its inherent power to dismiss this case without prejudice. Plaintiff did not file any objections to the Report. A district court may accept, reject, or modify a magistrate judge’s report and recommendation. 28 U.S.C. § 636(b)(1)(C). The objected portions of the report and recommendation are accorded de novo review if those objections “pinpoint the specific findings that the party disagrees with.” *United States v. Schultz*, 565 F.3d 1353, 1360 (11th Cir. 2009); see also Fed. R. Civ. P. 72(b)(3). Any portions of the report and recommendation to which no specific objection is made are reviewed only for clear error. *Liberty Am. Ins. Grp., Inc. v. WestPoint Underwriters, L.L.C.*, 199 F. Supp. 2d 1271, 1276 (M.D. Fla. 2001); accord *Macort v. Prem, Inc.*, 208 F. App’x 781, 784 (11th Cir. 2006). Given that the parties have not objected to any portion of the Report, the Court reviewed the Report for clear error. Finding no clear error, the Court agrees with Judge Shaw-Wilder’s findings and conclusion that this case should be dismissed without prejudice.

CONCLUSION

Therefore, it is ORDERED AND ADJUDGED as follows:

- (1) The Report and Recommendation, [ECF No. 10], is ADOPTED in full.
- (2) Plaintiff’s Complaint, [ECF No. 1], is DISMISSED without prejudice.

(3) All pending motions are DENIED as moot.

(4) The Case is CLOSED.

DONE AND ORDERED in Chambers at Miami, Florida, this 14th day of May, 2026.

DARRIN P. GAYLES

UNITED STATES DI CT JUDGE