

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
FLORIDA

Richard Earl Hensarling, Jr. v. Ricky Dixon

No. 3:26-cv-1724-TKW-ZCB (N.D. Fla. Apr. 13, 2026) · No. 3:26-cv-1724-TKW-ZCB · Decided April 13, 2026

SUMMARY

The United States District Court for the Northern District of Florida adopted the magistrate judge’s Report and Recommendation and dismissed the case without prejudice. The dismissal was based on the plaintiff’s failure to fully disclose his litigation history, and his motion to proceed in forma pauperis was denied as moot.

CASE DETAILS

COURT	United States District Court for the Northern District of Florida
WRITING FOR THE COURT	T. Kent Wetherell, II
JURISDICTION	United States District Court for the Northern District of Florida
DECIDED	April 13, 2026
DOCKET	3:26-cv-1724-TKW-ZCB
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed the magistrate judge's Report and Recommendation without objection and adopted it.
PRECEDENTIAL VALUE	unknown
PARTIES	Richard Earl Hensarling, Jr. v. Ricky Dixon

TOPICS

civil procedure pleadings

PRACTICE AREAS

civil procedure prisoner civil rights

QUESTIONS PRESENTED

- Whether the action should be dismissed without prejudice under the court's inherent authority because Plaintiff failed to fully disclose his litigation history.

HOLDINGS

1. A court may dismiss the action without prejudice under its inherent authority when the plaintiff fails to fully disclose his litigation history.

KEY QUOTATIONS

“This case is DISMISSED without prejudice under the Court’s inherent authority based on Plaintiff’s failure to fully disclose his litigation history.” (2)

FACTUAL BACKGROUND

Plaintiff failed to fully disclose his litigation history. The magistrate judge recommended dismissal on that basis, and Plaintiff filed no objections to the recommendation.

PROCEDURAL HISTORY

The magistrate judge recommended dismissal based on Plaintiff's failure to fully disclose his litigation history. No objections were filed. The district court adopted the Report and Recommendation, dismissed the case without prejudice, denied Plaintiff's motion to proceed in forma pauperis as moot, and directed the Clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- McNair v. Johnson, 141 F.4th 1301, 1308 (11th Cir. 2025)

OPINION

HENSARLING

PER CURIAM.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF FLORIDA

PENSACOLA DIVISION

RICHARD EARL HENSARLING, JR.,

Plaintiff, v. Case No. 3:26-cv-1724-TKW-ZCB

RICKY DIXON,

Defendant. /

ORDER

This case is before the Court based on the magistrate judge’s Report and Recommendation (Doc. 4). No objections were filed Upon due consideration of the Report and Recommendation and the case file, the Court agrees with the magistrate judge’s determination that this case should be

dismissed based on Plaintiff's failure to fully disclose his litigation history. See *McNair v. Johnson*, 141 F.4th 1301, 1308 (11th Cir. 2025). Accordingly, it is ORDERED that:

1. The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this Order.
2. This case is DISMISSED without prejudice under the Court's inherent authority based on Plaintiff's failure to fully disclose his litigation history.
3. Plaintiff's motion for leave to proceed in forma pauperis (Doc. 5) is DENIED as moot.
4. The Clerk shall enter judgment in accordance with this Order and close the case file. DONE AND ORDERED this 13th day of April, 2026.

T. KENT WETHERELL, II

UNITED STATES DISTRICT JUDGE

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