

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
FLORIDA, TALLAHASSEE DIVISION

Tareyan Cooks v. B. Abraham, et al.

Cooks · No. 4:25cv536-MW-MAF · Decided February 20, 2026

SUMMARY

The magistrate judge recommends dismissing Tareyan Cooks's 42 U.S.C. § 1983 action for failure to prosecute and failure to comply with court orders requiring proper support for an in forma pauperis motion. The recommendation relies on the court's inherent authority to dismiss for lack of prosecution and notes that Plaintiff was forewarned of the consequences of noncompliance.

CASE DETAILS

COURT	United States District Court for the Northern District of Florida, Tallahassee Division
WRITING FOR THE COURT	Martin A. Fitzpatrick
JURISDICTION	United States District Court for the Northern District of Florida, Tallahassee Division
DECIDED	February 20, 2026
DOCKET	4:25cv536-MW-MAF
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a pro se civil-rights action under 42 U.S.C. § 1983 without paying the filing fee or properly supporting an in forma pauperis motion. After receiving orders requiring compliance and warning of dismissal, Plaintiff failed to submit the required documentation. The magistrate judge issued a Report and Recommendation recommending dismissal.
STANDARD OF REVIEW	Dismissal for failure to prosecute or failure to comply with a court order is reviewed for abuse of discretion; dismissal is an extraordinary remedy, but dismissal after disregard of a specifically enforced and forewarned order generally is not an abuse of discretion.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Tareyan Cooks v. B. Abraham, et al.

TOPICS

civil procedure

section 1983

prisoners rights

pleadings

PRACTICE AREAS

civil procedure

prisoner civil rights

in forma pauperis proceedings

QUESTIONS PRESENTED

1. Whether the action should be dismissed for failure to prosecute after Plaintiff failed to comply with orders requiring payment of the filing fee or submission of a properly supported in forma pauperis motion.
2. Whether the Court may dismiss the action sua sponte under its inherent authority and applicable rules for failure to comply with a court order.

HOLDINGS

1. The magistrate judge recommended that the action be dismissed because Plaintiff failed to prosecute the case and failed to comply with two court orders requiring proper filing-fee or in forma pauperis compliance.

KEY QUOTATIONS

“A district court, as part of its inherent power to manage its own docket, may dismiss a case sua sponte” (at 2)

“While dismissal is an extraordinary remedy, dismissal upon disregard of an order, especially where the litigant has been forewarned, generally is not an abuse of discretion.” (at 2-3)

FACTUAL BACKGROUND

Plaintiff, proceeding pro se and initially detained at the Leon County Detention Facility, filed a handwritten § 1983 complaint without paying the filing fee or filing a proper in forma pauperis motion. After the Court ordered him to pay the fee or properly support an in forma pauperis request, Plaintiff submitted an inadequate motion and only the bank-account statement he claimed to possess. The Court denied his request that it obtain the statement, explained his obligation under 28 U.S.C. § 1915(a)(2), granted additional time, and warned that the case would be dismissed if he failed to comply. Plaintiff filed nothing further by the deadline.

PROCEDURAL HISTORY

Plaintiff initiated the § 1983 action while detained at the Leon County Detention Facility. The Court ordered him either to pay the \$405 filing fee or file a proper in forma pauperis motion. Plaintiff submitted an inadequate motion and an incomplete bank-account statement, was given additional time and warned that noncompliance would result in dismissal, but filed nothing further. The magistrate judge recommended dismissal for failure to prosecute and failure to comply with a court order.

DISPOSITION

other

CASES CITED

- Ciosek v. Ashley, No. 3:13cv147-RV-CJK, 2015 WL 2137521, at *2 (N.D. Fla. May 7, 2015)
- Link v. Wabash R.R. Co., 370 U.S. 626, 630, 82 S. Ct. 1386, 1389, 8 L. Ed. 2d 734 (1962)
- Betty K Agencies, Ltd. v. M/V MONADA, 432 F.3d 1333, 1337 (11th Cir. 2005)
- Moon v. Newsome, 863 F.2d 835, 837 (11th Cir. 1989)
- Smith v. Bruster, 424 F. App'x 912, 915 (11th Cir. 2011)

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