

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
LOUISIANA

Raymond Louis Reardon v. St. Tammany Parish Jail Medical
Department

Reardon · No. 2:25-cv-02103 · Decided January 7, 2026

SUMMARY

This report and recommendation addresses a pro se prisoner civil-rights complaint alleging denial of physical therapy or further medical attention after arm and wrist surgery. The magistrate judge recommends dismissal without prejudice for failure to prosecute and failure to comply with an order requiring payment of the filing fee or submission of an application to proceed in forma pauperis.

CASE DETAILS

COURT	United States District Court for the Eastern District of Louisiana
WRITING FOR THE COURT	Michael B. North
JURISDICTION	United States District Court for the Eastern District of Louisiana
DECIDED	January 7, 2026
DOCKET	2:25-cv-02103
DISPOSITION	other
PROCEDURAL POSTURE	Pro se prisoner filed a 42 U.S.C. § 1983 complaint alleging denial of physical therapy or further medical attention after arm and wrist surgery. The magistrate judge issued a report and recommendation that the complaint be dismissed without prejudice for failure to prosecute and failure to comply with a court order requiring payment of the filing fee or submission of an application to proceed in forma pauperis.
STANDARD OF REVIEW	A district court may dismiss an action for failure to prosecute or failure to comply with the Federal Rules of Civil Procedure or a court order under Federal Rule of Civil Procedure 41(b); dismissal for failure to prosecute should be used sparingly.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Raymond Louis Reardon v. St. Tammany Parish Jail Medical Department

TOPICS

civil procedure

section 1983

prisoners rights

PRACTICE AREAS

civil procedure

prisoner civil rights

medical care

QUESTIONS PRESENTED

1. Whether the complaint should be dismissed without prejudice for failure to prosecute and failure to comply with the court's order requiring payment of the filing fee or submission of an application to proceed in forma pauperis.
2. Whether a pro se litigant is excused from complying with applicable procedural and substantive rules.

HOLDINGS

1. A federal court may dismiss an action under Federal Rule of Civil Procedure 41(b) when a plaintiff fails to prosecute or fails to comply with the Federal Rules of Civil Procedure or a court order; because Reardon ignored the order requiring him to cure the filing deficiency, dismissal without prejudice was recommended.
2. A pro se litigant is not exempt from compliance with relevant procedural and substantive law.

KEY QUOTATIONS

"The authority of a federal court to dismiss a plaintiff's action because of failure to prosecute is clear." (at 2)

FACTUAL BACKGROUND

Reardon alleged that, after surgery on his arm and wrist, he was denied physical therapy or further medical attention by the St. Tammany Parish Jail Medical Department. He sought monetary compensation under 42 U.S.C. § 1983. He failed to pay the filing fee or submit an application to proceed in forma pauperis after receiving a deficiency notice and then failed to comply with a subsequent court order requiring him to cure the deficiency.

PROCEDURAL HISTORY

Reardon filed the complaint in September 2025. The Clerk notified him that the filing was deficient because he had not paid the filing fee or submitted an application to proceed in forma pauperis and gave him 21 days to cure the deficiency. After he failed to respond, the magistrate judge ordered him on November 25, 2025, to cure the deficiency by December 15, 2025, warning that noncompliance would result in a recommendation of dismissal. Reardon did not comply, and the magistrate judge recommended dismissal without prejudice, subject to a 14-day objection period.

DISPOSITION

other

CASES CITED

- *McCullough v. Lynaugh*, 835 F.2d 1126, 1127 (5th Cir. 1988)
- *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630 (1962)
- *Ramsay v. Bailey*, 531 F.2d 706, 707 (5th Cir. 1976)
- *Birl v. Estelle*, 660 F.2d 592, 593 (5th Cir. 1981)
- *Grant v. [citation incomplete]*, 2018 WL 691650 (E.D. La. Feb. 2, 2018)
- *Douglass v. United Services Automobile Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF LOUISIANA RAYMOND LOUIS REARDON CIVIL ACTION VERSUS NO. 25-2103 ST. TAMMANY PARISH JAIL SECTION AM@ (5) MEDICAL DEPARTMENT REPORT AND RECOMMENDATION In September 2025, pro se plaintiff, Raymond Louis Reardon, submitted this civil complaint pursuant to 42 U.S.C. § 1983, against the defendant, St. Tammany Parish Jail Medical Department.

In his complaint, he alleges that he was denied physical therapy or any further medical attention after surgery on his arm and wrist. He requests monetary compensation. Upon filing, the Clerk's Office notified him that the complaint was dismissed because he had not submitted the filing fee or an application to proceed.

The record indicates that the Clerk mailed the notice and standard IFP form to Reardon at the address he provided on his complaint and gave him 21 days to comply. Rec. Doc. 2. He failed to respond to that deficiency notice.

On November 25, 2025, the undersigned issued an order directing Reardon to pay the filing fee or submit a pauper application. Rec. Doc. 3. He was ordered to respond by December 15, 2025. He was also warned that if he failed to comply with the order, the undersigned would recommend dismissal of his civil complaint. No mail has been returned as undeliverable.

To date, Reardon has failed to comply with the Court's order. The authority of a federal court to dismiss a plaintiff's action because of failure to prosecute is clear. The Federal Rules of Civil Procedure specifically provide that a court may, in its discretion, dismiss a plaintiff's action for failure to prosecute or for failure to comply. *McCullough v. Lynaugh*, 835 F.2d 1126, 1127 (5th Cir. 1988). The Court's powers to dismiss for want of prosecution should be used sparingly, although it may be exercised. See *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630 (1962); *Ramsay v. Bailey*, 531 F.2d 706, 707 (5th Cir. 1976).

Fed. R. Civ. P. 41(b); 835 F.2d 1126, 1127 (5th Cir. 1988). The Court's powers to dismiss for want of prosecution should be used sparingly, although it may be exercised. See *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630 (1962); *Ramsay v. Bailey*, 531 F.2d 706, 707 (5th Cir. 1976).

1976). A pro se litigant is not exempt from compliance with relevant rules of procedural and substantive law. *Birl v. Estelle*, Civ. Action No. 16-1541, 2018 WL 691650 (E.D. La. Feb. 2, 2018) (citing, 660 F.2d 592, 593 (5th Cir. 1981)). Reardon has ignored an express Court order to remedy the deficiency and pay the required filing fee or submit a completed pauper application.

In light of the foregoing, it is appropriate to dismiss plaintiff's complaint. If plaintiff intends to move forward with these proceedings, he has an opportunity to make that intent known within the objection window by submitting the filing fee or an application to proceed. 2 RECOMMENDATION RECOMMENDED DISMISSAL So the Court orders that plaintiff's complaint be dismissed for failure to prosecute or comply with this Court's order.

A party's failure to file written objections to the proposed findings, conclusions, and recommendation in a magistrate judge's report and recommendation within fourteen (14) days after being served with a copy shall bar that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court, provided that the party has shown that such consequences will result from a failure to object. ', 797 F.3d 1415, 1430 (5th Cir.

1996) () (citing 28 U.S.C. 636(b)(1)). New Orleans, Louisiana, this _____ day of January, 2026. MICHAEL B. NORTH UNITED STATES MAGISTRATE JUDGE 1 Douglas ' referenced the previously applicable 10-day period for the filing of objections. Effective December 1, 2009, 28 U.S.C. 636(b)(1) was amended to extend the period to 14 days. 3