

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
TENNESSEE, NASHVILLE DIVISION

Trevor S. Adamson v. Daniel A. Horwitz et al.

Adamson · No. 3:25-cv-00420 · Decided November 25, 2025

SUMMARY

The United States District Court for the Middle District of Tennessee dismisses Trevor S. Adamson’s complaint with prejudice for failure to comply with court orders requiring payment of the civil filing fee and for want of prosecution. The court grants Defendant Daniel A. Horwitz’s motion to alter or amend the prior dismissal without prejudice and states that a separate judgment will follow.

CASE DETAILS

COURT	United States District Court for the Middle District of Tennessee, Nashville Division
WRITING FOR THE COURT	Laurie J. Michelson
JURISDICTION	United States District Court for the Middle District of Tennessee, Nashville Division
DECIDED	November 25, 2025
DOCKET	3:25-cv-00420
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court amended its prior dismissal order after granting Defendant Daniel A. Horwitz's motion to alter or amend the judgment, dismissing Plaintiff's complaint with prejudice for failure to comply with court orders and for want of prosecution.
PRECEDENTIAL VALUE	unknown

TOPICS

[civil procedure](#) [default](#) [pleadings](#)

PRACTICE AREAS

[civil procedure](#) [civil rights](#)

QUESTIONS PRESENTED

1. Whether the court could dismiss the complaint for failure to comply with filing-fee and deficiency orders and for want of prosecution.
2. Whether the dismissal should be entered with prejudice rather than without prejudice.

HOLDINGS

1. A district court may sua sponte dismiss an action when a plaintiff fails to comply with court orders or fails to prosecute the case, relying on Federal Rules of Civil Procedure 16(f), 37(b)(2)(A)(v), and 41(b), as well as the court's inherent authority to manage its docket and administer justice.
2. The complaint was properly dismissed with prejudice after the court granted Defendant's motion to alter or amend the prior dismissal order.

KEY QUOTATIONS

“The Court thus DISMISSES WITH PREJUDICE Adamson’s case for failure to comply with the Court’s orders and want of prosecution.” (Opinion text)

“the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases” (Opinion text)

FACTUAL BACKGROUND

Plaintiff, proceeding pro se, failed to submit the full civil filing fee after the court denied his in forma pauperis application and repeatedly ordered him to correct filing deficiencies. He also failed to file a compliant amended in forma pauperis application despite multiple deadlines and explicit warnings that noncompliance would result in dismissal. The court found that Plaintiff remained noncompliant and had failed to prosecute the action.

PROCEDURAL HISTORY

The court denied Plaintiff's application to proceed in forma pauperis without prejudice and ordered him either to file a compliant amended application or pay the full filing fee. Plaintiff failed to comply with successive deficiency orders and warnings, including an order requiring payment of the full civil filing fee. The court initially dismissed the complaint without prejudice on November 20, 2025; Defendant then moved to alter or amend the judgment to make the dismissal with prejudice, and the court granted that motion in this amended order.

DISPOSITION

dismissed

CASES CITED

- Rogers v. City of Warren, 302 F. App'x 371, 375 (6th Cir. 2008)
- Link v. Wabash R. Co., 370 U.S. 626, 630–31 (1962)
- Gibbons v. Asset Acceptance Corp., No. 05-467, 2006 WL 3452521, at *1 (S.D. Ohio Nov. 29, 2006)
- Pilgrim v. Littlefield, 92 F.3d 413, 416 (6th Cir. 1996)

- Jourdan v. Jabe, 951 F.2d 108, 110 (6th Cir. 1991)

OPINION

UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE
DIVISION TREVOR S. ADAMSON, Plaintiff, Case No. 25-00420 Honorable Laurie J.
Michelson v. DANIEL A. HORWITZ et al., Defendants. AMENDED ORDER DISMISSING
PLAINTIFF'S COMPLAINT [1] On October 6, 2025, the Court directed pro se plaintiff Trevor
Adamson to submit the full civil filing fee by November 6, 2025.

(ECF No. 13.)¹ As in its prior orders addressing his continued filing fee deficiency (see ECF Nos. 9, 12), the Court advised that “Adamson is again warned that failure to comply with this Order will result in the dismissal of this action” (ECF No. 13, PageID.68). Adamson’s November 6 deadline has come and gone without his submission of the filing fee. He thus remains noncompliant with the filing requirements in 28 U.S.C. § 1915(a)(1) and has 1 Prior, the Court denied Adamson’s application for leave to proceed in forma pauperis (ECF No. 2) without prejudice to the refiling of an amended application and ordered Adamson to either submit an amended application with sufficient, complete answers or pay the full civil filing fee by September 1, 2025 (ECF No. 9).

The Court denied Adamson’s subsequent motion to seal his amended IFP application, struck that sealed IFP application, ordered Adamson to “properly file his amended IFP application by September 22, 2025,” and warned that failure to do so would result in dismissal of his case. (ECF No. 12.) When Adamson had not filed anything by October 6, the Court ordered him to pay the full filing fee (and explained that, even his improperly filed IFP application were considered, it failed to comply with the Court’s instructions on what an amended application must include).

(ECF No. 13.) failed—for a second time (see ECF No. 12)—to comply with the Court’s deficiency order (ECF No. 13). The Court thus DISMISSES WITH PREJUDICE² Adamson’s case for failure to comply with the Court’s orders and want of prosecution. See *Rogers v. City of Warren*, 302 F. App’x 371, 375 (6th Cir. 2008) (describing district courts’ “sources of authority to dismiss a case for failure to prosecute”: Federal Rule of Civil Procedure 16(f), “which permits dismissal under Fed.

R. Civ. P. 37(b)(2)(A)(v) when a party or its attorney fails to appear at a scheduling or other pretrial conference”; Rule 41(b), “which permits the court to involuntarily dismiss an action if a plaintiff fails to prosecute his case or to comply with a court order”; and “the court’s inherent power to ‘protect the due and orderly administration of justice, and maintain the authority and dignity of the court’ (citation modified)); see also *Link v. Wabash R. Co.*, 370 U.S. 626, 630–31 (1962) (explaining that “the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases” entails the “inherent power” to sua

sponte dismiss cases for lack of prosecution); *Gibbons v. Asset Acceptance Corp.*, No. 05-467, 2006 WL 3452521, at *1 (S.D.

Ohio Nov. 29, 2006) (“[A]n action is subject to dismissal for want of prosecution where the pro se litigant fails to comply with the Court’s orders or engages in a clear 2 On November 20, 2025, the Court issued an order dismissing without prejudice Adamson’s complaint for failure to comply with multiple court orders and for want of prosecution. (ECF No. 14.)

The same day, Defendant Daniel A. Horwitz moved to alter or amend the judgment to instead dismiss Adamson’s complaint with prejudice. (ECF No. 15.) For the reasons stated therein, the Court GRANTS the motion (ECF No. 15) and issues this amended order dismissing Adamson’s complaint with prejudice. A separate judgment will follow. pattern of delay.” (citing *Pilgrim v. Littlefield*, 92 F.3d 413, 416 (6th Cir.

1996); *Jourdan v. Jabe*, 951 F.2d 108, 110 (6th Cir. 1991))). SO ORDERED. Dated: November 25, 2025 s/Laurie J. Michelson LAURIE J. MICHELSON UNITED STATES DISTRICT JUDGE