

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

Datrin Travis v. Sarah-Ann Williams, et al.

Travis · No. 3:24-cv-00145 · Decided January 20, 2026

SUMMARY

The United States District Court for the Middle District of Tennessee adopts a magistrate judge’s report and recommendation and grants a defendant’s motion to dismiss for failure to prosecute. The action, asserting claims under 42 U.S.C. § 1983 and state medical-malpractice law, is dismissed without prejudice under Federal Rule of Civil Procedure 41(b) because the pro se plaintiff failed to maintain a current address and did not respond to court orders or the motion.

CASE DETAILS

COURT	United States District Court for the Middle District of Tennessee, Nashville Division
WRITING FOR THE COURT	Chi Richardson
JURISDICTION	United States District Court for the Middle District of Tennessee, Nashville Division
DECIDED	January 20, 2026
DOCKET	3:24-cv-00145
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's report and recommendation recommending dismissal under Federal Rule of Civil Procedure 41(b) for failure to prosecute. No party filed objections.
STANDARD OF REVIEW	Under Federal Rule of Civil Procedure 72(b)(3), the district judge reviews de novo those portions of a magistrate judge's report and recommendation to which a proper objection is made. Absent objections, the district court is not required to conduct de novo or other independent review of the unobjected-to portions.
PRECEDENTIAL VALUE	Unpublished district court order; persuasive rather than precedential.

TOPICS

- motions to dismiss
- civil procedure
- section 1983
- prisoners rights

PRACTICE AREAS

civil procedure

constitutional law

civil rights

prisoner civil rights

QUESTIONS PRESENTED

1. Whether the district court was required to conduct de novo or other independent review of the magistrate judge's report and recommendation when no party filed objections.
2. Whether the action should be dismissed without prejudice under Federal Rule of Civil Procedure 41(b) for Plaintiff's failure to prosecute.

HOLDINGS

1. When no party files a timely objection to a magistrate judge's report and recommendation, the district court is not required to conduct de novo or other independent review of the unobjected-to portions and may adopt the recommendation.
2. The action was properly dismissed without prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute.

KEY QUOTATIONS

"Accordingly, the Motion (Doc. No. 39) is GRANTED, and this action is dismissed without prejudice under Rule 41(b) for failure to prosecute." (at Doc. No. 55 at 7)

FACTUAL BACKGROUND

Plaintiff, a former inmate, asserted § 1983 claims alleging violations of the First, Eighth, and Fourteenth Amendments, along with a state-law medical-malpractice claim. Multiple court mailings were returned as undeliverable, and Plaintiff failed to comply with court rules and orders concerning his address and failed to respond to Defendant's motion to dismiss. Although Plaintiff later filed an address update, he did not respond to either of two show-cause orders or the motion to dismiss.

PROCEDURAL HISTORY

Plaintiff brought a pro se action under 42 U.S.C. § 1983 and state law based on alleged events during his detention. After allowing some claims to proceed, the court received Defendant Robert Gibson's motion to dismiss for failure to prosecute, based primarily on Plaintiff's failure to maintain a current address and participate in the litigation. The magistrate judge recommended dismissal without prejudice; after the objection period expired without objections, the district court adopted the recommendation, granted the motion, dismissed the action without prejudice, and directed entry of judgment and closure of the case.

DISPOSITION

dismissed

CASES CITED

- Hart v. Bee Property Management, Inc., No. 18-cv-11851, 2019 WL 1242372, at *1 (E.D. Mich. Mar. 18, 2019)
- Thomas v. Arn, 474 U.S. 140, 149-50 (1985)
- Ashraf v. Adventist Health System/Sunbelt, Inc., 322 F. Supp. 3d 879, 881 (W.D. Tenn. 2018)
- Benson v. Walden Security, No. 3:18-CV-0010, 2018 WL 6322332, at *3 (M.D. Tenn. Dec. 4, 2018)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION DATRIN TRAVIS,)) Plaintiff,)) NO. 3:24-cv-00145 v.)) JUDGE RICHARDSON SARAH-ANN WILLIAMS, et al.,)) Defendants.)) ORDER Pending before the Court¹ is the report and recommendation (Doc. No. 55, “R&R”) of the Magistrate Judge, which recommends that the Court grant the “motion to dismiss for failure to prosecute” filed by Defendant Robert Gibson at Docket No. 39 (“Motion”).

(Doc. No. 55 at 1). More specifically, the R&R recommends that the Motion be granted and that this action, brought by pro se Plaintiff, Datrin Travis, be dismissed without prejudice under Rule 41(b) for failure to prosecute. (Doc. No. 55 at 7). No objections to the R&R have been filed and the time for filing objections has now expired.² Absent any objection to the statement of facts (regarding the procedural history and underlying circumstances of this case) set forth by the Magistrate Judge in the R&R, the Court adopts that factual background in its entirety and includes it here for reference.

¹ Herein, “the Court” refers to the undersigned District Judge, as opposed to the Magistrate Judge who authored the R&R. ² Under Fed. R. Civ. P. 72(b), any party has fourteen (14) days from receipt of the R&R in which to file any written objections to the Recommendation with the District Court.

For pro se plaintiffs, like Plaintiff, the Court is willing to extend this 14-day deadline by three days to allow time for filings to be transported by mail. But even this extension does not help Plaintiff because the R&R was filed on December 26, 2025, and as of January 16, 2026, Plaintiff has not filed any objections. This pro se action brought by a former inmate of the Sumner County Jail in Gallatin, Tennessee asserts claims under 42 U. S. C. § 1983 for violations of Plaintiff’s First, Eighth and Fourteenth Amendment rights and state law medical malpractice occurring while in the custody of the Davidson County Sherriff’s Office Downtown Detention Center in Nashville, Tennessee.

Docket No. 14. On initial review, the Court dismissed a number of Plaintiff’s claims however, it allowed claims against several of the Defendants to proceed. Docket No. 20. On August 7, 2025, Defendant Robert Gipson filed a motion to dismiss for lack of prosecution. Docket No. 39.

The motion asserts that the Plaintiff has failed to comply with the rules and orders of the Court regarding his address as evidenced by the return of multiple mailings from the Clerk of Court as undeliverable. *Id.* The Defendant asserts that the Plaintiff's failure to comply with the rules prevents the Parties from advancing the litigation and that the Plaintiff has otherwise failed to participate in this case.

The Plaintiff failed to timely respond to the motion to dismiss and on September 12, 2025, the Court entered a show cause order requiring Plaintiff to respond September 26, 2025, as to why his claims should not be dismissed for failure to prosecute.

The Clerk of Court mailed a copy of the order to the Plaintiff but it [] was returned as undeliverable on October 21, 2025. Docket No. 52. On October 15, 2025, the Plaintiff filed a notice updating his address with the Court. Docket No. 50.

On October 31, 2025, the Court entered a second show cause order directing the Clerk of Court to send the Order to the Plaintiff's newly filed address and requiring the Plaintiff to respond to the show cause order no later than November 21, 2025. Docket No. 54.

To date, the Plaintiff has failed to respond to the show cause order or the motion to dismiss. (Doc. No. 55 at 1-2). The Magistrate Judge concluded that the Motion should be granted. No party has filed objections to the R&R, and the time to file objections with the Court has passed, as explained in a footnote above.³ When a magistrate judge issues a report and recommendation regarding a dispositive pretrial matter, the district judge must review *de novo* any portion of the report and recommendation to which a proper objection is made.

Fed. R. Civ. P. 72(b)(3). The district judge ³ The docket reflects that the Clerk's Office mailed the R&R to Plaintiff at the purported updated address that Plaintiff had provided in Docket No. 50, but that it was returned as "undeliverable" and "unable to forward." (Doc. No. 56). So if the reason why Plaintiff did not file objections to the R&R is that he never received a copy of the R&R, that appears to be a result of his failure to keep the Clerk's Office properly updated as to his address. may accept, reject, or modify the recommended disposition, review further evidence, or return the matter to the magistrate judge with instructions. /d.

Fed. R. Civ. P. 72(b)(2) provides that a party may file "specific written objections" to a report and recommendation, and Local Rule 72.02(a) provides that such objections must be written and must state with particularity the specific portions of the magistrate judge's report or proposed findings or recommendations to which an objection is made.

The failure to object to a report and recommendation releases the Court from its duty to independently review the matter. /d.; *Hart v. Bee Prop. Mgmt., Inc.*, No. 18-cv-11851, 2019 WL 1242372, at * 1 (E.D. Mich. Mar. 18, 2019) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). A

district judge is not required to review, under a de novo or any other standard, those aspects of a report and recommendation to which no objection is made.

Ashraf v. Adventist Health Sys./Sunbelt, Inc., 322 F. Supp. 3d 879, 881 (W.D. Tenn. 2018); Benson v. Walden Sec., No. 3:18-CV-0010, 2018 WL 6322332, at *3 (M.D. Tenn. Dec. 4, 2018) (citing Thomas, 474 US. at 150). Absent objection, the R&R (Doc. No. 55) is adopted and approved.

Accordingly, the Motion (Doc. No. 39) is GRANTED, and this action is dismissed without prejudice under Rule 41(b) for failure to prosecute. The Clerk is DIRECTED to enter judgment pursuant to Fed. R. Civ. P. 58 and close the file. IT IS SO ORDERED. Chi Richardson CL Ruch
UNITED STATES DISTRICT JUDGE