

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
GEORGIA, AUGUSTA DIVISION

Jonathan Denham v. Felicia Dupass, Detra Willis, Shaun Tia Davis,
and Rhonda Ross

Denham · No. CV 125-283 · Decided January 5, 2026

SUMMARY

A magistrate judge recommends dismissing Jonathan Denham’s pro se 42 U.S.C. § 1983 action without prejudice for failure to prosecute and failure to comply with an order requiring him to update his address. The recommendation relies on Federal Rule of Civil Procedure 41(b), the court’s inherent docket-management authority, and Local Rule 41.1 of the Southern District of Georgia.

CASE DETAILS

COURT	United States District Court for the Southern District of Georgia, Augusta Division
JURISDICTION	United States District Court for the Southern District of Georgia, Augusta Division
DECIDED	January 5, 2026
DOCKET	CV 125-283
DISPOSITION	dismissed
PROCEDURAL POSTURE	Magistrate judge's report and recommendation in a pro se prisoner civil-rights action under 42 U.S.C. § 1983, recommending dismissal without prejudice for failure to prosecute and failure to comply with a court order.
STANDARD OF REVIEW	The report and recommendation applies the district court's authority under Federal Rule of Civil Procedure 41(b), its inherent docket-management authority, and the Southern District of Georgia's Local Rule 41.1 to determine whether dismissal for failure to prosecute and failure to comply with a court order is appropriate.
PRECEDENTIAL VALUE	nonprecedential report and recommendation
PARTIES	Jonathan Denham v. Felicia Dupass, Detra Willis, Shaun Tia Davis, Rhonda Ross

TOPICS

civil procedure

sanctions

section 1983

civil rights

remedies

PRACTICE AREAS

civil procedure

civil rights

prisoner civil rights

remedies

QUESTIONS PRESENTED

1. Whether the action should be dismissed without prejudice for Plaintiff's failure to keep the Court informed of his current address and failure to comply with the Court's November 21, 2025 order.
2. Whether monetary sanctions were a feasible alternative to dismissal where Plaintiff was proceeding in forma pauperis and had paid none of the filing fee.
3. Whether dismissal should be without prejudice rather than with prejudice before adjudication on the merits.

HOLDINGS

1. A district court may dismiss an action for failure to prosecute or failure to comply with a court order under Federal Rule of Civil Procedure 41(b), its inherent authority to manage its docket, and applicable local rules.
2. Dismissal without prejudice is appropriate where a plaintiff fails to comply with a court order after being warned that noncompliance may result in dismissal.
3. Monetary sanctions were not a feasible alternative to dismissal because Plaintiff was proceeding in forma pauperis and had paid no portion of the filing fee.

KEY QUOTATIONS

“A district court has authority to manage its docket to expeditiously resolve cases, and this authority includes the power to dismiss a case for failure to prosecute or failure to comply with a court order.” (unpaginated)

“Therefore, dismissal for want of prosecution is appropriate.” (unpaginated)

“Accordingly, the Court REPORTS and RECOMMENDS that this case be DISMISSED without prejudice and CLOSED.” (unpaginated)

FACTUAL BACKGROUND

Plaintiff was proceeding pro se and in forma pauperis in a § 1983 action. The Court's December 16, 2025 order was returned because Plaintiff was no longer at the address on file. Plaintiff had previously been ordered to immediately notify the Court of any address change and had been warned that failure to do so could result in dismissal. Because Plaintiff had not updated his address, the Court found that communication with him appeared impossible and that the case had become stagnant.

PROCEDURAL HISTORY

Plaintiff commenced the action while proceeding pro se and in forma pauperis. After the Court's December 16, 2025 order was returned, the Court determined that Plaintiff had failed to provide a current address despite an earlier order directing him to do so and warning that noncompliance could result in dismissal. The magistrate judge recommended that the action be dismissed without prejudice and closed.

DISPOSITION

dismissed

CASES CITED

- Equity Lifestyle Props., Inc. v. Florida Mowing & Landscape Serv., Inc., 556 F.3d 1232, 1240 (11th Cir. 2009)
- Eades v. Alabama Dep't of Hum. Res., 298 F. App'x 862, 863 (11th Cir. 2008) (per curiam)
- Owens v. Pinellas Cnty. Sheriff's Dep't, 331 F. App'x 654, 655 (11th Cir. 2009) (per curiam)
- Moon v. Newsome, 863 F.2d 835, 837 (11th Cir. 1989)
- Cordes v. Chipi, 773 F. App'x 551, 552-53 (11th Cir. 2019) (per curiam)
- Gormley v. Nix, No. 04-12374, 2005 WL 2090282, at *3-4 (11th Cir. Aug. 31, 2005) (per curiam)
- Dickson v. Ga. State Bd. of Pardons & Paroles, No. 1:06-CV-1310-JTC, 2007 WL 2904168, at *6 (N.D. Ga. Oct. 3, 2007)