

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
GEORGIA, VALDOSTA DIVISION

Larry L. Thomas, Jr. v. Judge James L. Prine, et al.

Thomas v. Prine · No. 7:25-cv-13-WLS-ALS · Decided February 13, 2026

SUMMARY

In this Order and Recommendation, the United States District Court for the Middle District of Georgia grants Larry L. Thomas, Jr.’s motion to file a Second Amended Complaint. The magistrate judge recommends dismissing the Second Amended Complaint without prejudice as frivolous, for failure to comply with prior court instructions, and under the court’s inherent authority, while recommending denial of several pending motions. The recommendation is based primarily on the plaintiff’s extensive conspiracy allegations, which the court finds patently implausible and intertwined with his other claims.

CASE DETAILS

COURT	United States District Court for the Middle District of Georgia, Valdosta Division
WRITING FOR THE COURT	Alfreda L. Sheppard
JURISDICTION	United States District Court for the Middle District of Georgia, Valdosta Division
DECIDED	February 13, 2026
DOCKET	7:25-cv-13-WLS-ALS
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff filed a Recast Complaint and moved for leave to file a Second Amended Complaint, financial assistance with discovery, leave to supplement, and a writ of mandamus. The magistrate judge granted leave to file the Second Amended Complaint but recommended dismissal without prejudice after preliminary screening under the Prison Litigation Reform Act and for failure to comply with prior court instructions.
STANDARD OF REVIEW	Under 28 U.S.C. §§ 1915A and 1915(e), the court must dismiss a prisoner or in forma pauperis complaint that is frivolous, malicious, fails to state a claim, or seeks monetary relief from an immune defendant. A complaint is frivolous when it lacks an arguable factual or legal basis, including when its factual allegations are fanciful,

	fantastic, irrational, or delusional. The court may also dismiss sua sponte under its inherent docket-management authority and Federal Rule of Civil Procedure 41(b) for failure to follow court orders or rules.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Larry L. Thomas, Jr. v. Judge James L. Prine, et al.

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QUESTIONS PRESENTED

1. Whether Plaintiff should be granted leave to file the Second Amended Complaint and whether that pleading superseded the Recast Complaint.
2. Whether the Second Amended Complaint should be dismissed at preliminary screening as frivolous under 28 U.S.C. §§ 1915A and 1915(e).
3. Whether dismissal was also warranted under the court's inherent authority and Federal Rule of Civil Procedure 41(b) because Plaintiff disregarded prior orders and instructions.
4. Whether Plaintiff's motions for financial assistance with discovery, leave to supplement, and a writ of mandamus should be denied.

HOLDINGS

1. Leave to file the Second Amended Complaint was granted, and the Second Amended Complaint became the operative pleading because an amended pleading generally supersedes and abandons the former pleading.
2. The Second Amended Complaint should be dismissed without prejudice as frivolous because its broad conspiracy allegations were fanciful, fantastic, irrational, and delusional, and the allegations were so interwoven that the court could not separate them from any potentially viable claims.
3. Dismissal without prejudice was recommended under the court's inherent authority and Federal Rule of Civil Procedure 41(b) because Plaintiff intentionally disregarded prior orders and instructions concerning the filing of frivolous conspiracy allegations.

KEY QUOTATIONS

“An amended pleading supersedes the former pleading; the original pleading is abandoned by the amendment, and is no longer a part of the pleader’s averments against his adversary.” (at 1)

“A claim is frivolous if it “lacks an arguable basis either in law or in fact.”” (at 2)

“Separate and apart from the PLRA, a district court may also dismiss a case under its inherent authority, which it possesses as a means of manag[ing] its own docket so as to achieve the orderly and expeditious disposition of cases.” (at 20)

“Rule 41(b) authorizes a district court to dismiss a complaint for failure to prosecute or failure to comply with a court order or the federal rules.” (at 21)

FACTUAL BACKGROUND

Plaintiff alleged that numerous jail officials, state officials, a judge, law-enforcement personnel, medical personnel, and inmates conspired to assault and sexually abuse him at the Thomas County Jail because of his race and because he filed complaints and lawsuits. He alleged multiple shootings, beatings, sexual assaults, denial of medical care, and retaliation involving approximately four dozen defendants, including Governor Brian Kemp and Marty Kemp. The court found that these allegations repeated and expanded upon previously identified allegations that high-ranking state officials orchestrated a vast conspiracy against Plaintiff and were factually frivolous and inseparable from his other claims.

PROCEDURAL HISTORY

Plaintiff originally filed a prisoner civil-rights action and was directed to recast his pleading. He filed a Recast Complaint and then sought leave to file a substantially similar Second Amended Complaint. The court treated the Second Amended Complaint as the operative pleading, found that its broad conspiracy allegations repeated the frivolous allegations identified in an earlier order, and recommended dismissal without prejudice. The recommendation was subject to objections before Senior District Judge W. Louis Sands.

DISPOSITION

dismissed

CASES CITED

- *Pintando v. Miami-Dade Hous. Agency*, 501 F.3d 1241, 1243 (11th Cir. 2007)
- *Carmichael v. United States*, 966 F.3d 1250, 1258 (11th Cir. 2020)
- *Miller v. Donald*, 541 F.3d 1091, 1100 (11th Cir. 2008)
- *Daker v. Ward*, 999 F.3d 1300, 1308, 1310 (11th Cir. 2021)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555-56, 570 (2007)
- *Hale v. Tallapoosa Cnty.*, 50 F.3d 1579, 1582 (11th Cir. 1995)
- *Bingham v. Thomas*, 654 F.3d 1171, 1176-77 (11th Cir. 2011)
- *Wade v. McDade*, 106 F.4th 1251, 1255 (11th Cir. 2024) (en banc)
- *Porter v. Governor*, 667 F. App'x 766, 767 (11th Cir. 2016)
- *Denton v. Hernandez*, 504 U.S. 25, 32-33 (1992)
- *McNair v. Johnson*, 143 F.4th 1301, 1306 (11th Cir. 2025)

- Foudy v. Indian River Cnty. Sheriff's Office, 845 F.3d 1117, 1126 (11th Cir. 2017)
- Gratton v. Great Am. Commc'ns, 178 F.3d 1373, 1374 (11th Cir. 1999)
- Friedlander v. Nims, 755 F.2d 810, 813 (11th Cir. 1985)
- Wagner v. Daewoo Heavy Indus. Am. Corp., 314 F.3d 541, 542 (11th Cir. 2002) (en banc)
- Moon v. Newsome, 863 F.2d 835, 837 (11th Cir. 1989)
- Amerson v. Comm'r, No. 20-11179, 2022 WL 628418, at *3 (11th Cir. Mar. 4, 2022)
- Thomas v. Governor's Off. for Ga., No. 7:22-CV-000112 (WLS), 2024 WL 583484, at *7, *10 (M.D. Ga. Feb. 13, 2024)
- Thomas v. Governor's Office for the State of Georgia, No. 7:22-cv-112-WLS (M.D. Ga. Oct. 18, 2022)
- Daker v. Dozier, No. 19-11213, 2022 WL 2154114, at *1 (11th Cir. June 15, 2022)

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