

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN

Ronald DeRyke v. Corizon Health, Inc., et al.

DeRyke · No. 24-12857 · Decided February 24, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan adopted a magistrate judge’s Report and Recommendation recommending dismissal of Ronald DeRyke’s civil rights action for failure to prosecute and comply with court orders. The court denied the defendants’ pending dispositive motions as moot and dismissed DeRyke’s cause of action with prejudice.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan
WRITING FOR THE COURT	Jonathan J.C. Grey
JURISDICTION	United States District Court for the Eastern District of Michigan
DECIDED	February 24, 2026
DOCKET	24-12857
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed and adopted a magistrate judge's Report and Recommendation recommending dismissal of the civil-rights complaint for failure to prosecute and failure to comply with court orders. The court denied the defendants' pending motions to dismiss and motions for summary judgment as moot.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Ronald DeRyke v. Corizon Health, Inc., Wellpath, Grand Prairie Healthcare Services, Vital Core, Sara Gdowski, Trinh Le, Stacy Lindahl, Kalee Ross, B. Stricklin, Nancy Roland, Karine Poland, Jessica Jones, Leslie Murray, Nigel Wyckoff, other healthcare professionals employed by the defendant providers and the Michigan Department of Corrections

TOPICS

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

PRACTICE AREAS

civil procedure

prisoner civil rights

constitutional law

health law

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's Report and Recommendation recommending dismissal for failure to prosecute and failure to comply with court orders.
2. Whether the defendants' pending motions to dismiss and motions for summary judgment should be denied as moot after dismissal of the action.
3. Whether the parties waived further objections by failing to object to the Report and Recommendation.

HOLDINGS

1. The district court adopted the magistrate judge's Report and Recommendation in its entirety because it reached the correct conclusions for the proper reasons and no error was identified.
2. The complaint was dismissed with prejudice for failure to prosecute and failure to comply with the court's orders.
3. The parties waived further objections to the Report and Recommendation by failing to file objections.

FACTUAL BACKGROUND

DeRyke, a prisoner, sued private healthcare providers, healthcare professionals, and Michigan Department of Corrections personnel over alleged retaliation, denial or delay of medical treatment, deliberate indifference, and related emotional-distress and negligence claims. He asserted the defendants acted in their individual and official capacities. The court's disposition rested on DeRyke's failure to prosecute and failure to comply with court orders rather than on adjudication of the underlying medical-care or constitutional claims.

PROCEDURAL HISTORY

DeRyke filed a 42 U.S.C. § 1983 action on October 29, 2024, asserting First Amendment retaliation, Eighth Amendment medical-care claims, and related state-law claims. Defendants filed multiple motions to dismiss and for summary judgment, including motions based on exhaustion and bankruptcy discharge. Magistrate Judge Curtis Ivy recommended dismissal for failure to prosecute and failure to comply with court orders; no party objected. On February 24, 2026, the district court adopted the recommendation in its entirety and dismissed the cause of action with prejudice.

DISPOSITION

dismissed

CASES CITED

- Smith v. Detroit Fed'n of Tchrs. Loc. 231, 829 F.2d 1370, 1373 (6th Cir. 1987)
- Thomas v. Arn, 474 U.S. 140, 149 (1985)

OPINION

DeRyke

PER CURIAM.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF MICHIGAN

SOUTHERN DIVISION

RONALD DERYKE,

Plaintiff, Case No. 24-12857 v. Hon. Jonathan J.C. Grey Magistrate Judge Curtis Ivy, Jr.
CORIZON HEALTH, INC., et al., Defendants. _____/

ORDER ADOPTING REPORT AND

RECOMMENDATION (ECF No. 71)

On October 29, 2024, pro se Plaintiff Ronald DeRyke filed this civil rights case pursuant to 42 U.S.C. § 1983 against Defendants Corizon Health, Inc., Wellpath, Grand Prairie Healthcare Services, Vital Core, and numerous healthcare professionals employed by the above providers and the Michigan Department of Corrections (collectively, the “defendants”). (ECF No. 1.) DeRyke sues the defendants in their individual and official capacities for: (1) retaliation in violation of the First Amendment; (2) cruel and unusual punishment in violation of the Eighth Amendment; (3) deliberate indifference in denying and/or delaying DeRyke’s medical treatment; (4) enacting “unconstitutional policy, practice, and custom of restricting/discouraging/disparaging, and denying any follow-up care as a cost-saving measure due to profit motive,” constituting deliberate indifference to the constitutional rights of Michigan prisoners; (5) acting with deliberate indifference by denying follow-up care in violation of the Eighth Amendment; (6) causing mental and emotional distress; (7) violating state law by acting with gross negligence in denying and/or delaying medical treatment; and (8) intentional infliction of emotional distress. (Id. at PageID.23–24.) In response, the defendants filed numerous dispositive motions, including motions to dismiss and for summary judgment. (See ECF Nos. 31, 33, 41, 59, 61, 64.) This matter now comes before the Court on Magistrate Judge Curtis Ivy’s Report and Recommendation dated January 23, 2026. (ECF No. 71.) In the Report and Recommendation, Magistrate Judge Ivy recommends that the Court (1) dismiss the complaint for failure to prosecute and failure to comply with the Court’s orders, and (2) deny all of the defendants’ pending motions (ECF Nos. 31, 33, 41, 59, 61, 64) as moot. No party has filed an objection to the Report and Recommendation. The Court has had an opportunity to review this matter and finds that Magistrate Judge Ivy reached the correct conclusions for the proper reasons. Finding no error in Magistrate Judge Ivy’s Report and Recommendation, the Court adopts the Report and Recommendation in its entirety. Furthermore, as neither party has raised an objection to the Report and Recommendation, the Court finds that the parties have waived any further objections to the Report and Recommendation. *Smith v. Detroit Fed’n of Tchrs.* Loc. 231, 829 F.2d 1370, 1373 (6th Cir. 1987) (a party’s failure to file any objections waives his or her right to further appeal); *Thomas v. Arn*, 474 U.S. 140, 149 (1985). For

the reasons stated above, IT IS ORDERED that the Report and Recommendation dated January 23, 2026 (ECF No. 71) is ADOPTED as this Court's findings of fact and conclusions of law. IT IS FURTHER ORDERED that the motion to dismiss filed by Defendants Sara Gdowski, Trinh Le, Stacy Lindahl, Kalee Ross, and Vital Core (ECF No. 31) is DENIED AS MOOT. IT IS FURTHER ORDERED that the motion to dismiss, or alternatively for summary judgment based on exhaustion, filed by Defendant B. Stricklin (ECF No. 33) is DENIED AS MOOT. IT IS FURTHER ORDERED that the motion for summary judgment based on exhaustion filed by Defendants Nancy Roland and Karine Poland (ECF No. 41) is DENIED AS MOOT. IT IS FURTHER ORDERED that the motion for summary judgment based on exhaustion filed by Defendants Jessica Jones and Leslie Murray (ECF No. 59) is DENIED AS MOOT. IT IS FURTHER ORDERED that the motion to dismiss based on bankruptcy discharge filed by Defendant Wellpath (ECF No. 61) is DENIED AS MOOT. IT IS FURTHER ORDERED that the motion to dismiss, or alternatively for summary judgement, filed by Defendant Nigel Wyckoff (ECF No. 64) is DENIED AS MOOT. IT IS FURTHER ORDERED that the Report and Recommendation dated June 23, 2025 (ECF No. 65) is MOOT based on the Court's adoption of the January 23, 2026 Report and Recommendation. IT IS FURTHER ORDERED that DeRyke's cause of action is DISMISSED WITH PREJUDICE. SO ORDERED. Dated: February 24, 2026 s/Jonathan J.C. Grey Jonathan J.C. Grey United States District Judge Certificate of Service The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First-Class U.S. mail addresses disclosed on the Notice of Electronic Filing on February 24, 2026. s/ S. Osorio Sandra Osorio Case Manager