

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Jamie Dershem v. Prime Care, et al.

Dershem · No. 3:26-cv-121 · Decided March 23, 2026

SUMMARY

The United States District Court for the Middle District of Pennsylvania dismisses Jamie Dershem’s 42 U.S.C. § 1983 action after she failed to file an amended complaint or request an extension by the court-ordered deadline. Applying the Poulis factors, the court concludes that dismissal is warranted and directs the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Robert D. Mariani
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	March 23, 2026
DOCKET	3:26-cv-121
DISPOSITION	dismissed
PROCEDURAL POSTURE	Prisoner civil-rights action dismissed after the plaintiff failed to file an amended complaint following dismissal of the original complaint at statutory screening.
STANDARD OF REVIEW	The court applied the Poulis factors to determine whether dismissal was warranted for failure to prosecute and failure to comply with a court order.
PRECEDENTIAL VALUE	unpublished district court memorandum; nonprecedential
PARTIES	Jamie Dershem v. Prime Care, et al.

TOPICS

- civil procedure
- prisoners rights
- section 1983
- hipaa

PRACTICE AREAS

- civil procedure
- prisoner civil rights
- health law

QUESTIONS PRESENTED

1. Whether the action should be dismissed because plaintiff failed to file an amended complaint as ordered.
2. Whether the balance of the Poulis factors supported dismissal for failure to prosecute and failure to comply with a court order.

HOLDINGS

1. A plaintiff's failure to file an amended complaint in accordance with a court order, leaving no operative pleading, supports dismissal of the action.
2. Dismissal was warranted because the balance of the six Poulis factors weighed heavily in favor of dismissal.

KEY QUOTATIONS

“ “[N]ot all of the Poulis factors need be satisfied...to dismiss a complaint.” ”

“ Plaintiff's failure to file an amended complaint in accordance with this Court's Order “makes adjudication of the case impossible.” ”

FACTUAL BACKGROUND

Plaintiff was an inmate in the custody of the Pennsylvania Department of Corrections and initiated a pro se action asserting constitutional and HIPAA claims. The court dismissed her original complaint during statutory screening, granted leave to amend by March 17, 2026, and presumed she received the order because it was not returned and her correctional-facility address had not changed. She neither filed an amended complaint nor requested additional time.

PROCEDURAL HISTORY

Plaintiff filed a pro se action under 42 U.S.C. § 1983 asserting constitutional claims and a HIPAA violation. After screening under 28 U.S.C. §§ 1915A and 1915(e)(2)(B)(ii), the court dismissed the complaint for failure to state a claim but granted leave to amend. Plaintiff failed to amend or request an extension, and the court dismissed the action after analyzing the Poulis factors and directed the Clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Azubuko v. Bell Nat'l Org., 243 F. App'x 728, 729 (3d Cir.)
- Pruden v. SCI Camp Hill, 252 F. App'x 436, 438 (3d Cir. 2007)
- Poulis v. State Farm Fire & Casualty Co., 747 F.2d 863, 868 (3d Cir. 1984)
- Mindek v. Rigatti, 964 F.2d 1369, 1373 (3d Cir. 1992)
- Adams v. Trustees of N.J. Brewery Emps.' Pension Trust Fund, 29 F.3d 863, 875 (3d Cir. 1994)

