

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

James Deon Jones v. Lala D. Jones, et al.

No. 5:25-cv-00471-TES-CHW, United States District Court for the Middle District of Georgia, Macon Division
(January 15, 2026)

SUMMARY

The United States District Court for the Middle District of Georgia dismissed James Deon Jones’s pro se action without prejudice for failure to comply with court orders and failure to prosecute. The court relied on Federal Rule of Civil Procedure 41(b) and denied the pending in forma pauperis and injunctive-relief motions as moot.

CASE DETAILS

COURT	United States District Court for the Middle District of Georgia, Macon Division
WRITING FOR THE COURT	Tilman E. Self, III
JURISDICTION	United States District Court for the Middle District of Georgia, Macon Division
DECIDED	January 15, 2026
DOCKET	5:25-cv-00471-TES-CHW
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se prisoner civil action dismissed without prejudice for failure to comply with court orders and failure to prosecute.
STANDARD OF REVIEW	Dismissal under Federal Rule of Civil Procedure 41(b) for failure to prosecute or failure to obey a court order is within the court's discretion and may be imposed sua sponte.
PRECEDENTIAL VALUE	Unpublished district court dismissal order; nonprecedential.
PARTIES	James Deon Jones v. Lala D. Jones, et al.

TOPICS

- civil procedure
- prisoners rights
- section 1983
- injunctions

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the action should be dismissed without prejudice under Federal Rule of Civil Procedure 41(b) because Plaintiff failed to comply with court orders and failed to prosecute.
2. Whether Plaintiff's pending motions to proceed in forma pauperis and for injunctive relief should be denied as moot after dismissal.

HOLDINGS

1. A court may dismiss an action sua sponte under Federal Rule of Civil Procedure 41(b) when a plaintiff fails to prosecute the action or obey a court order. Because Plaintiff repeatedly failed to comply with the Court's orders and failed to respond to the show-cause order, dismissal without prejudice was warranted.
2. Plaintiff's motion to proceed in forma pauperis and motion for injunctive relief were denied as moot following dismissal of the action.

KEY QUOTATIONS

"The court may dismiss an action sua sponte under Rule 41(b) for failure to prosecute or failure to obey a court order." (at 2)

"Due to Plaintiff's failure to follow the Court's orders and failure to prosecute this action, the case is hereby DISMISSED WITHOUT PREJUDICE." (at 2)

FACTUAL BACKGROUND

James Deon Jones, a prisoner at Baldwin State Prison, filed a pro se complaint that did not clearly identify whether he sought federal habeas relief or civil-rights relief. He failed to comply with orders requiring him to recast the complaint and submit a certified account statement, and he also failed to respond to a subsequent show-cause order.

PROCEDURAL HISTORY

Plaintiff filed a complaint that was unclear as to whether he intended to pursue habeas relief under 28 U.S.C. § 2254 or a civil-rights action under 42 U.S.C. § 1983. The Magistrate Judge ordered him to recast the complaint, submit a certified six-month account statement, and comply within fourteen days. After Plaintiff failed to respond, the Court issued a show-cause order warning that noncompliance could result in dismissal; Plaintiff again failed to respond, leading to dismissal without prejudice.

DISPOSITION

dismissed

CASES CITED

- *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006)

- *Lopez v. Aransas Cnty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)
- *Duong Thanh Ho v. Costello*, 757 F. App'x 912 (11th Cir. 2018)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION JAMES DEON JONES,: Plaintiff,: v.: No. 5:25-cv-00471-TES-CHW LALA
D. JONES, et al.,: Defendants.: DISMISSAL ORDER Pro se Plaintiff James Deon Jones, a
prisoner at Baldwin State Prison in Hardwick, Georgia, filed a complaint. ECF No. 1.

On November 12, 2025, the Magistrate Judge conducted an initial review of Plaintiff's pleading and rightfully found that it was unclear whether Plaintiff intended for his lawsuit to be a federal habeas corpus action under 28 U.S.C. § 2254 or whether he intended to pursue a civil rights complaint under 42 U.S.C § 1983. See ECF No. 5. Hence, Plaintiff was ordered to recast his complaint as either a civil rights complaint or as a habeas action and was provided instructions on how to do so.

Id. Plaintiff was further ordered to provide a certified account statement for the preceding six months in support of his motion to proceed in forma pauperis. Id. Plaintiff was given fourteen (14) days to comply with the Court's Order and was informed that failure to fully and timely comply with an Order of the Court could result in dismissal of this action.

Id. Plaintiff did not respond. Therefore, on December 18, 2025, the Court notified Plaintiff that he failed to comply with an Order of the Court. ECF No. 6. Plaintiff was ordered to show cause why this action should not be dismissed for failure to comply with the Court's Order. Id. The Court again informed Plaintiff that should he fail to respond or otherwise comply with Court orders, this civil action can be dismissed.

Id. Plaintiff was given fourteen (14) days to comply. Plaintiff has failed to respond. Due to Plaintiff's failure to follow the Court's orders and failure to prosecute this action, the case is hereby DISMISSED WITHOUT PREJUDICE. See Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) (first citing Fed. R. Civ. P. 41(b); then citing *Lopez v. Aransas Cnty.*

Indep. Sch. Dist., 570 F.2d 541, 544 (5th Cir. 1978)) ("The court may dismiss an action sua sponte under Rule 41(b) for failure to prosecute or failure to obey a court order."); *Duong Thanh Ho v. Costello*, 757 F. App'x 912 (11th Cir. 2018) (holding that the district court did not abuse its discretion in sua sponte dismissing without prejudice prisoner's pro se § 1983 complaint for failure to comply with court order to file amended complaint where order expressly informed prisoner of deficiencies in his complaint and rules that he needed to follow in filing amended complaint).

Due to the dismissal of this civil action, Plaintiff's motion to proceed in forma pauperis (ECF No. 2) and motion for injunctive relief (ECF No. 3) are DENIED as moot. SO ORDERED, this 15th

day of January, 2026. S/ Tilman E. Self, III TILMAN E. SELF, III, JUDGE UNITED STATES
DISTRICT COURT 2

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