

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
GEORGIA

Byron Donnelle Clay v. Ms. Gamble, et al.

No. 3:25-cv-00121-TES-AGH (M.D. Ga. Dec. 23, 2025) · No. No. 3:25-cv-00121-TES-AGH · Decided
December 24, 2025

SUMMARY

The United States District Court for the Middle District of Georgia grants the plaintiff’s Rule 60 motion for reconsideration, vacates its prior dismissal and judgment, and reviews the action. The court then dismisses the § 1983 action without prejudice for failure to timely pay the required partial initial filing fee, finding that the plaintiff had access to family support and acted in bad faith. The court also conducts preliminary screening and addresses claims concerning jail conditions, alleged violations of standard operating procedures, and the liability of the named defendants.

CASE DETAILS

COURT	United States District Court for the Middle District of Georgia
WRITING FOR THE COURT	Tilman E. Self, III
JURISDICTION	United States District Court for the Middle District of Georgia
DECIDED	December 24, 2025
DOCKET	No. 3:25-cv-00121-TES-AGH
DISPOSITION	dismissed
PROCEDURAL POSTURE	The pro se inmate plaintiff moved under Federal Rule of Civil Procedure 60 for reconsideration of the prior dismissal of his § 1983 complaint for failure to obey orders requiring payment of a partial initial filing fee. The court granted reconsideration, vacated the prior dismissal order and judgment, reviewed the newly discovered evidence and the complaint, and again dismissed the action without prejudice.
STANDARD OF REVIEW	Under Rule 60, relief from a final judgment is available on the grounds specified in the rule, including newly discovered evidence and other reasons justifying relief. Under 28 U.S.C. §§ 1915A and 1915(e), the court conducts preliminary screening and must dismiss claims that are frivolous, malicious, fail to state a claim, or seek relief from an immune defendant. Pro se pleadings are liberally construed but must still satisfy the plausibility standard. Conditions-of-confinement

	claims require sufficiently serious deprivation and deliberate indifference to a serious risk of harm.
PRECEDENTIAL VALUE	unpublished district court order; persuasive authority only
PARTIES	Byron Donnelle Clay v. Ms. Gamble, Correct Health, Walton County Sheriff's Office, Walton County Jail

TOPICS

[motion for reconsideration](#)
[prisoners rights](#)
[section 1983](#)
[due process](#)
[civil procedure](#)

PRACTICE AREAS

[civil rights](#)
[prisoner litigation](#)
[federal civil procedure](#)
[constitutional law](#)

QUESTIONS PRESENTED

1. Whether Clay was entitled to relief from the prior dismissal under Federal Rule of Civil Procedure 60 based on his asserted newly discovered evidence concerning the payment of the partial initial filing fee.
2. Whether dismissal without prejudice was appropriate under Federal Rule of Civil Procedure 41(b) because Clay failed to timely pay the court-ordered partial initial filing fee.
3. Whether the claims against Correct Health, the Walton County Sheriff's Office, and the Walton County Jail failed because the complaint did not connect those defendants to a constitutional violation and certain defendants were not entities subject to suit under § 1983.
4. Whether an alleged violation of jail standard operating procedures stated a federal constitutional claim.
5. Whether Clay stated a Fourteenth Amendment conditions-of-confinement claim based on his temporary placement in a padded cell or suicide-watch cell.

HOLDINGS

1. The court granted Clay's motion for reconsideration and vacated its prior dismissal order and judgment so that it could review the asserted newly discovered evidence and reconsider the dismissal.
2. A district court may dismiss a prisoner civil action without prejudice under Rule 41(b) when the plaintiff fails to obey an order requiring timely payment of a partial initial filing fee, and dismissal was warranted because Clay had the ability to pay but disregarded the court's orders.
3. The claims against Correct Health, the Walton County Sheriff's Office, and the Walton County Jail were dismissed without prejudice for failure to state a claim.
4. An alleged violation of jail policies or standard operating procedures, standing alone, does not establish a federal constitutional violation actionable under § 1983.
5. Clay failed to state a Fourteenth Amendment conditions-of-confinement claim because temporary placement in a padded or suicide-watch cell did not allege a sufficiently serious deprivation, and Gamble's precautionary placement decision did not show deliberate indifference.

KEY QUOTATIONS

“Therefore, Plaintiff’s prior representations to the Court that he had no financial ability to pay filing fees nor family support are disingenuous, at best, and at their worst, an attempted fraud upon the Court and abuse of the judicial process.” (at 7)

“Prison regulations and Standard Operating Procedures do not confer federal rights to prisoners that may be enforced or redressed in a § 1983 action.” (at 14)

“Defendant Gamble’s determination that Plaintiff needed to be temporarily placed in a padded cell is in no way indicative that she acted with the subjective recklessness necessary to show deliberate indifference to any imaginable risk of harm but instead demonstrates that she took cautionary measures to prevent an inmate from possibly harming himself.” (at 17)

FACTUAL BACKGROUND

Clay was an inmate at the Walton County Jail who filed a § 1983 complaint concerning his temporary placement in a padded cell or suicide-watch cell after he used a kiosk to report that his cellmate was suicidal. The court ordered Clay to pay a \$41.67 partial initial filing fee and extended his deadline, but he did not timely pay it. Evidence from Clay’s other lawsuits showed that he had positive balances and deposits in his inmate account and had obtained money orders from family or his fiancé to pay filing fees in other cases. The court concluded that he could have paid the fee in this case and that his claims concerning the cell placement and alleged violation of jail procedures failed to state a constitutional claim.

PROCEDURAL HISTORY

Clay filed a prisoner civil-rights complaint under 42 U.S.C. § 1983. The court ordered him to pay a partial initial filing fee, granted an extension, and later ordered him to show cause after he failed to pay. On October 17, 2025, the court dismissed the action without prejudice for failure to obey court orders. Clay then moved for reconsideration, asserting that a jail-administration workflow prevented him from paying the fee. The court rejected that explanation after reviewing his financial records and also screened and dismissed the complaint under 28 U.S.C. § 1915A(b)(1).

DISPOSITION

dismissed

CASES CITED

- *Daker v. Dozier*, Civil Action No. 6:17-cv-110, 2017 WL 4448234, at *7 n.5 (S.D. Ga. Oct. 5, 2017)
- *Dawson v. Lennon*, 797 F.2d 934, 935 (11th Cir. 1986)
- *Collier v. Reigio*, 760 F.2d 279 (11th Cir. 1985)
- *Mitchell v. Nobles*, 873 F.3d 869, 875 (11th Cir. 2017)
- *Attwood v. Singletary*, 105 F.3d 610, 613 (11th Cir. 1997) (per curiam)
- *Daker v. Owens*, No. 21-13169, 2023 WL 8254348, at *3 (11th Cir. Nov. 29, 2023)

- Walker v. Powell, 351 F. App'x 384, 386 (11th Cir. 2009) (per curiam)
- Zocaras v. Castro, 465 F.3d 479, 484 (11th Cir. 2006)
- Barnes v. Dalton, 158 F.3d 1212, 1214 (11th Cir. 1998)
- Eagle Hosp. Physicians, LLC v. SRG Consulting, Inc., 561 F.3d 1298, 1306 (11th Cir. 2009)
- Brown v. Tallahassee Police Dep't, 205 F. App'x 802, 802 (11th Cir. 2006)
- Lopez v. Aransas Cty. Indep. Sch. Dist., 570 F.2d 541, 544 (5th Cir. 1978)
- Wilson v. Sargent, 313 F.3d 1315, 1320-21 (11th Cir. 2002) (per curiam)
- Daker v. Ward, 999 F.3d 1300, 1308, 1310 (11th Cir. 2021)
- Carmichael v. United States, 966 F.3d 1250, 1258 (11th Cir. 2020)
- Miller v. Donald, 541 F.3d 1091, 1100 (11th Cir. 2008)
- 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)
- Douglas v. Yates, 535 F.3d 1316, 1322 (11th Cir. 2008)
- Pamel Corp. v. P.R. Highway Auth., 621 F.2d 33, 36 (1st Cir. 1980)
- Zatler v. Wainwright, 802 F.2d 397, 401 (11th Cir. 1986)
- Williams v. Bennett, 689 F.2d 1370, 1380 (11th Cir. 1983)
- Dean v. Barber, 951 F.2d 1210, 1214 (11th Cir. 1992)
- Bunyon v. Burke County, 285 F. Supp. 2d 1310, 1328 (S.D. Ga. 2003)
- Shelby v. City of Atlanta, 578 F. Supp. 1368, 1370 (N.D. Ga. 1984)
- Keating v. City of Miami, 598 F.3d 753, 762 (11th Cir. 2010)
- Hartley v. Parnell, 193 F.3d 1263, 1269 (11th Cir. 1999)
- Hendrix v. Tucker, 535 F. App'x 803, 805 (11th Cir. 2013) (per curiam)
- Hernandez v. Fla. Dep't of Corr., 281 F. App'x 862, 866-67 (11th Cir. 2008) (per curiam)
- Jones v. Schofield, No. 1:08-CV-7 WLS, 2009 WL 902154, at *3 (M.D. Ga. Mar. 30, 2009)
- Rineholtz v. Campbell, 64 F. Supp. 2d 721, 731 (W.D. Tenn. 1999)
- Sandin v. Conner, 515 U.S. 472, 481-82 (1995)
- Cottrell v. Caldwell, 85 F.3d 1480, 1490 (11th Cir. 1996)
- Jacoby v. Baldwin County, 835 F.3d 1338, 1344 (11th Cir. 2016)
- Marsh v. Butler County, Ala., 268 F.3d 1014, 1024 n.5 (11th Cir. 2001) (en banc)
- Hamm v. DeKalb County, 774 F.2d 1567, 1572, 1574 (11th Cir. 1985)
- Wilson v. Blankenship, 163 F.3d 1284, 1291 (11th Cir. 1998)
- Bell v. Wolfish, 441 U.S. 520, 537 (1978)
- Rhodes v. Chapman, 452 U.S. 337, 349 (1981)
- Bennet v. Chitwood, 519 F. App'x 569, 574 (11th Cir. 2013)

- Thomas v. Bryant, 614 F.3d 1288, 1304 (11th Cir. 2010)
- Chandler v. Crosby, 379 F.3d 1278, 1289-90 (11th Cir. 2004)
- Helling v. McKinney, 509 U.S. 25, 36 (1993)
- Rodriguez v. Sec'y for Dep't of Corr., 508 F.3d 611, 617 (11th Cir. 2007)
- Quintanilla v. Bryson, 730 F. App'x 738, 746 (11th Cir. 2018)
- Shelley v. Dugger, 833 F.2d 1420, 1428-29 (11th Cir. 1987)
- McMahon v. Beard, 583 F.2d 172, 175 (5th Cir. 1978)
- Bonner v. City of Prichard, 661 F.2d 1206, 1209 (11th Cir. 1981) (en banc)
- Fischer v. Ellegood, 238 F. App'x 428, 433 (11th Cir. 2007)
- Turner v. Warden, GDCP, 650 F. App'x 695, 701 (11th Cir. 2016)
- O'Connor v. Kelley, 644 F. App'x 928, 932 (11th Cir. 2016)

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