

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA, JACKSONVILLE DIVISION

Reggie Griffin v. L.T. J. Minshew

Griffin · No. 3:25-cv-1187-MMH-MCR · Decided January 12, 2026

SUMMARY

The United States District Court for the Middle District of Florida dismissed Reggie Griffin’s pro se civil-rights action without prejudice. The court found that Griffin failed to pay the filing fee or seek in forma pauperis status, failed to comply with court orders, and failed to update his address or otherwise prosecute the case. The Clerk was directed to update Griffin’s address, enter judgment, terminate pending motions, and close the case.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Jacksonville Division
WRITING FOR THE COURT	Marcia Morales Howard
JURISDICTION	United States District Court for the Middle District of Florida
DECIDED	January 12, 2026
DOCKET	3:25-cv-1187-MMH-MCR
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court sua sponte dismissed a pro se prisoner's section 1983 action without prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute and failure to comply with court orders requiring payment of the filing fee or submission of an application to proceed in forma pauperis and notification of address changes.
STANDARD OF REVIEW	Abuse of discretion applies to dismissal under Federal Rule of Civil Procedure 41(b) for failure to comply with court rules or court orders.
PRECEDENTIAL VALUE	Unpublished federal district court order; persuasive value only and not binding precedent.
PARTIES	Reggie Griffin v. L.T. J. Minshew

TOPICS

civil procedure

section 1983

civil rights

prisoners rights

PRACTICE AREAS

civil procedure

civil rights

prisoner litigation

QUESTIONS PRESENTED

1. Whether the district court could dismiss the pro se section 1983 action without prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute and failure to comply with court orders.
2. Whether Griffin's failure to pay the filing fee or submit an in forma pauperis application and failure to update his address warranted dismissal after repeated warnings.

HOLDINGS

1. A district court may sua sponte dismiss a pro se action without prejudice under Federal Rule of Civil Procedure 41(b) when the plaintiff fails to comply with court orders or procedural rules, particularly after being warned that noncompliance may result in dismissal.
2. Griffin's action was properly dismissed without prejudice for failure to prosecute and failure to comply with the court's orders.

KEY QUOTATIONS

"Accordingly, this action is to be dismissed without prejudice for failure to prosecute and comply with the Court's Orders."

"pro se litigants still must conform to procedural rules."

FACTUAL BACKGROUND

Griffin, an inmate in the Florida penal system, filed a pro se complaint under 42 U.S.C. § 1983 without paying the filing fee or submitting an application to proceed in forma pauperis. The court twice informed him of his obligation to pay or seek pauper status and instructed him to maintain a current address. Griffin failed to comply, failed to respond to an order to show cause, and made no subsequent filings despite changing correctional facilities.

PROCEDURAL HISTORY

Griffin filed a pro se civil-rights complaint but neither paid the filing fee nor submitted an application to proceed in forma pauperis. After the court issued orders advising him of those obligations and the consequences of noncompliance, including an order to show cause, Griffin made no further filings and did not update his address. The court dismissed the action without prejudice, directed the Clerk to update his address, terminate pending motions, enter judgment, and close the case.

DISPOSITION

dismissed

CASES CITED

- Moon v. Newsome, 863 F.2d 835, 837 (11th Cir. 1989)
- Tannenbaum v. United States, 148 F.3d 1262, 1263 (11th Cir. 1998)
- Albra v. Advan, Inc., 490 F.3d 826, 829 (11th Cir. 2007)
- Hargrove v. Capela, 792 F. App'x 758, 759 (11th Cir. 2020)
- Powell v. Harris, 628 F. App'x 679, 680 (11th Cir. 2015) (per curiam)
- Duong Thanh Ho v. Costello, 757 F. App'x 912, 914-15 (11th Cir. 2018)
- McNamara v. Gov't Emps. Ins. Co., 30 F.4th 1055, 1060-61 (11th Cir. 2022)

OPINION

Griffin

PER CURIAM.

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF FLORIDA

JACKSONVILLE DIVISION

REGGIE GRIFFIN,

Plaintiff, v. Case No. 3:25-cv-1187-MMH-MCR

L.T. J. MINSHEW,

Defendant. _____

ORDER

Plaintiff, Reggie Griffin, an inmate in the Florida penal system, initiated this action by filing a pro se Complaint for Violation of Civil Rights under 42 U.S.C. § 1983 (Complaint; Doc. 1). He did not pay the filing fee or submit an application to proceed in forma pauperis. On October 8, 2025, the Court entered an order informing Griffin of his obligation to pay the filing fee or apply to proceed as a pauper within thirty days of filing his Complaint as well as the requirement to notify the Court of any change of address. Doc. 3 at 2, 4. The Order also advised Griffin that his case may be dismissed if he failed to comply with these requirements. *Id.* Additionally, the complaint form, which Griffin signed, requires prisoners to agree to “keep a current address on file with the Clerk’s Office” to avoid dismissal of the case (Complaint at 11). As Griffin failed to pay the filing fee or submit an application to proceed in forma pauperis within thirty days of filing as ordered by the Court, on November 19, 2025, the Court issued an Order to Show Cause directing Griffin, by December 18, 2025, to (1) show cause why the case should not be dismissed for his failure to comply with the Court’s Order (Doc. 2) or otherwise prosecute the case; and (2) pay the filing fee or submit an application to proceed in forma pauperis. Doc. 13 (citing Rule 3.10, Local Rules, United States District Court for the Middle District of Florida)). In that Order, the Court further noted that the website for the Florida Department of Corrections (FDOC) reflected that Griffin was then incarcerated at Northwest Florida Reception Center Annex1 and, thus, Griffin had failed to update his address as required. *Id.* at 1–2. In the Order, the Court cautioned Griffin that his failure to comply with the Court’s Orders may result in the dismissal of this case. *Id.* at 2. The

website for the FDOC reflects that Griffin is currently located at Blackwater Correctional Facility.² To date, Griffin has not made any subsequent filings since his Complaint. Under Rule 41(b) Federal Rules of Civil Procedure (Rule(s)), a district court has discretion to dismiss a pro se plaintiff's action for his failure to 1 Griffin was incarcerated at Columbia Correctional Institution when he filed his Complaint. See Complaint at 1, 11. 2 See Corrections Offender Network, Florida Department of Corrections, available at <https://pubapps.fdc.myflorida.com/OffenderSearch/search.aspx> (last visited Jan. 12, 2026). comply with court rules or a court order. See *Moon v. Newsome*, 863 F.2d 835, 837 (11th Cir. 1989) (“[D]ismissal upon disregard of an order, especially where the litigant has been forewarned, generally is not an abuse of discretion.”). While “[p]ro se pleadings are held to a less stringent standard than pleadings drafted by attorneys and will, therefore, be liberally construed,” *Tannenbaum v. United States*, 148 F.3d 1262, 1263 (11th Cir. 1998), pro se litigants still must conform to procedural rules. *Albra v. Advan, Inc.*, 490 F.3d 826, 829 (11th Cir. 2007). As such, when a pro se plaintiff fails to comply with a court's order or rules, the court may sua sponte dismiss a case under Rule 41(b). See *Hargrove v. Capela*, 792 F. App'x 758, 759 (11th Cir. 2020) (affirming district court's dismissal of complaint where plaintiff failed to comply with a court order to submit an amended application to proceed in forma pauperis or to pay a filing fee); *Powell v. Harris*, 628 F. App'x 679, 680 (11th Cir. 2015)³ (per curiam) (holding the district court did not abuse its discretion dismissing the case without prejudice for the plaintiff's noncompliance with the court's instructions to file a proper complaint); *Duong Thanh Ho v. Costello*, 757 F. App'x 912, 914–15 (11th Cir. 2018) (affirming the district court's dismissal ³ The Court does not rely on unpublished opinions as binding precedent; however, they may be cited in this Order when the Court finds them persuasive on a particular point. See *McNamara v. Gov't Emps. Ins. Co.*, 30 F.4th 1055, 1060–61 (11th Cir. 2022); see generally Fed. R. App. P. 32.1; 11th Cir. R. 36-2 (“Unpublished opinions are not considered binding precedent, but they may be cited as persuasive authority.”). without prejudice for the pro se plaintiff's failure to comply with the court's order to amend). And Local Rule 3.10 also provides that “[a] plaintiff's failure to prosecute diligently can result in dismissal if the plaintiff in response to an order to show cause fails to demonstrate due diligence and just cause for delay.” Here, in initiating this action, Griffin was required to pay the filing fee or submit an application to proceed in forma pauperis. The Court informed him of his obligation twice. As of the date of this Order, he has neither complied with the Court's Orders (Docs. 2, 3), nor requested more time to do so. Additionally, Griffin has failed to notify the Court of his changes of address despite the Court's instructions and warnings. Accordingly, this action is to be dismissed without prejudice for failure to prosecute and comply with the Court's Orders.⁴ Accordingly, it is now ORDERED and ADJUDGED:

1. This case is DISMISSED without prejudice for Griffin's lack of prosecution.
2. The Court directs the Clerk to update Griffin's address to

Blackwater Correctional Facility, 5914 Jeff Ates Road, Milton, Florida 32583. 4 The Court notes that the claims Griffin seeks to assert stem from an incident occurring on September 10, 2024. As such, at this time, the refiling of his claims would not be barred by the applicable statute of limitations. However, Griffin is cautioned that timely filing is his own responsibility.

3. The Clerk shall enter judgment accordingly, terminate any pending motions, and close the case. DONE AND ORDERED in Jacksonville, Florida, on January 12, 2026.

MARCIA MORALES HOWARD

United States District Judge JaxP-12 C: Reggie Griffin, #J39823