

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
TEXAS, FORT WORTH DIVISION

Terry Wayne Omole v. Lakeisha Edmond, et al.

Omole · No. 4:25-cv-1267-O-BP · Decided January 5, 2026

SUMMARY

A United States Magistrate Judge recommends dismissal without prejudice of Terry Wayne Omole’s civil action for failure to comply with court orders and failure to prosecute. The recommendation states that Plaintiff neither paid the required filing fees nor submitted a compliant in forma pauperis application by the extended deadline.

CASE DETAILS

COURT	United States District Court for the Northern District of Texas, Fort Worth Division
JURISDICTION	United States District Court for the Northern District of Texas, Fort Worth Division
DECIDED	January 5, 2026
DOCKET	4:25-cv-1267-O-BP
DISPOSITION	other
PROCEDURAL POSTURE	Findings, conclusions, and recommendation by a United States magistrate judge following judicial screening of a pro se civil complaint and amended application to proceed in forma pauperis. The magistrate judge recommended dismissal without prejudice for failure to comply with court orders and failure to prosecute.
STANDARD OF REVIEW	The district judge must make a de novo determination of those portions of the magistrate judge's proposed findings, conclusions, and recommendation to which specific written objections are timely made.
PRECEDENTIAL VALUE	Nonprecedential magistrate judge findings, conclusions, and recommendation; not a final district-court judgment in the source document.
PARTIES	Terry Wayne Omole v. Lakeisha Edmond, Rita Edmond

TOPICS

- civil procedure
- motions to dismiss

PRACTICE AREAS

civil procedure

civil rights

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 failure to pay the filing and administrative fees or obtain permission to proceed in forma pauperis supports dismissal.

HOLDINGS

1. Federal Rule of Civil Procedure 41(b) permits a court to dismiss an action sua sponte for failure to prosecute or failure to follow court orders, pursuant to the court's inherent authority to control its docket.

KEY QUOTATIONS

“Rule 41(b) permits a court to dismiss an action sua sponte for failure to prosecute or follow orders of the court.”

FACTUAL BACKGROUND

Terry Wayne Omole filed a civil action and sought permission to proceed in forma pauperis. His amended IFP application contained discrepancies concerning his living and financial circumstances, and the court ordered him to pay the required fees or file a clarifying long-form application. Despite an extension of time and repeated warnings that noncompliance could result in dismissal, Omole did not comply, seek another extension, or otherwise respond.

PROCEDURAL HISTORY

Plaintiff filed a civil complaint on November 10, 2025, and an amended application to proceed in forma pauperis. The court found the application deficient and ordered Plaintiff either to pay the filing and administrative fees or submit an amended long-form application clarifying discrepancies in his living and financial circumstances. After granting an extension through January 2, 2026, the court received no further compliance, request for extension, or response. The magistrate judge recommended dismissal without prejudice.

DISPOSITION

other

CASES CITED

- *McCullough v. Lynaugh*, 835 F.2d 1126, 1127 (5th Cir. 1988)
- *Link v. Wabash R.R. Co.*, 370 U.S. 626, 629-31 (1962)
- *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1428-29 (5th Cir. 1996) (en banc)

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