

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI, SOUTHEASTERN DIVISION**

Darrell Hardin v. Unknown Lang, et al.

Hardin · No. 1:25-cv-00138-SNLJ · Decided January 30, 2026

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION DARRELL HARDIN,)) Plaintiff,)) v.) Case No. 1:25-cv-
00138-SNLJ) UNKNOWN LANG, et al.,)) Defendants.) MEMORANDUM AND ORDER
This matter is before the Court upon review of the file. Plaintiff Darrell Hardin commenced this civil action on August 28, 2025, alleging violations of his civil rights by against eight corrections officers at Southeast Correctional Center.

(ECF No. 1). On December 5, 2025, the Court granted Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs, and directed him to pay an initial filing fee of \$23.72. (ECF No. 6). The Court further found Plaintiff's complaint was defective and directed him to file an amended complaint. (Id.).

The Court cautioned Plaintiff that his failure to timely comply with the Order would result in the dismissal of the case without further notice. (Id.) Plaintiff's response was due by January 5, 2026. To date, Plaintiff has neither responded to the Court's Order, nor sought additional time to do so. Plaintiff was given meaningful notice of what was expected, he was cautioned that his case would be dismissed if he failed to timely comply, and he was given ample time to comply.

The Court will therefore dismiss this action, without prejudice, due to Plaintiff's failure to comply with the Court's December 5, 2025 Order and his failure to prosecute his case. See Fed. R. Civ. P. 41(b); see also *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962) (the authority of a court to dismiss sua sponte for lack of prosecution is inherent power governed "by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases"); *Brown v. Frey*, 806 F.2d 801, 803 (8th Cir.

1986) (a district court has the power to dismiss an action for the plaintiff's failure to comply with any court order). Accordingly, IT IS HEREBY ORDERED that this case is DISMISSED without prejudice. IT IS HEREBY CERTIFIED that an appeal from this dismissal would not be taken in good faith. An Order of Dismissal will accompany this Memorandum and Order. Dated this 30" day of January, 2026.

STEPHEN N. LIMBAUGH, JR. SENIOR UNITED STATES DISTRICT JUDGE

