

**UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
FLORIDA**

Marcia Thomas v. Bond Community Health Center, et al.

Thomas · No. 4:25-cv-190-MW-MJF · Decided December 16, 2025

SUMMARY

A magistrate judge recommends that the Northern District of Florida dismiss Marcia Thomas’s action without prejudice because she failed to comply with two court orders and failed to prosecute the case. The recommendation also advises the clerk to close the case file and explains the deadline and consequences for filing objections.

OPINION

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION MARCIA THOMAS, Plaintiff, v. Case No. 4:25-cv-190-MW-MJF
BOND COMMUNITY HEALTH CENTER, et al., Defendants. / REPORT AND
RECOMMENDATION Because Plaintiff failed to comply with two court orders and failed to
prosecute this action, the District Court should dismiss this action without prejudice.

BACKGROUND Because Plaintiff’s complaint violated Rules 8 and 10 of the Federal Rules of
Civil Procedure, on October 7, 2025, the undersigned ordered Plaintiff to file an amended
complaint. Doc. 8. The undersigned imposed a compliance deadline of October 28, 2025, and
warned Plaintiff that the failure to comply with the order likely would result in dismissal of this
action.

Plaintiff did not comply with that order. On November 17, 2025, the undersigned ordered Plaintiff
to show cause for her failure to comply with the undersigned’s order of October 7, 2025. Doc. 9.
The undersigned imposed a deadline of December 1, 2025, to comply and again warned Plaintiff
that the failure to comply with the order likely would result in dismissal of this action.

Plaintiff has not complied with that order. DISCUSSION “Federal courts possess an inherent
power to dismiss a complaint for failure to comply with a court order.” *Foudy v. Indian River
Cnty. Sheriff’s Off.*, 845 F.3d 1117, 1126 (11th Cir. 2017) (citations omitted); N.D. Fla. Loc. R.
41.1 (authorizing the court to dismiss an action, or any claim within it, “[i]f a party fails to comply
with an applicable rule or a court order”).

A district court also may dismiss a civil action sua sponte for failure to prosecute. See Fed. R. Civ.
P. 41(b); *Link v. Wabash R.R. Co.*, 370 U.S. 626, 632 (1962). Plaintiff has failed to comply with

two court orders. Plaintiff has offered no excuse for her failures and, consequently, has not shown good cause.

Accordingly, dismissal of this civil action is appropriate. CONCLUSION Because Plaintiff failed to comply with court orders and failed to prosecute this action, the undersigned respectfully RECOMMENDS that the District Court: 1. DISMISS this action without prejudice. 2. DIRECT the clerk of the court to close the case file. At Pensacola, Florida, this 16th day of December, 2025. /s/ Michael J. Frank Michael J. Frank United States Magistrate Judge NOTICE TO THE PARTIES The District Court referred this case to a magistrate judge to address preliminary matters and to make recommendations regarding dispositive matters.

See N.D. Fla. Loc. R. 72.2; see also 28 U.S.C. § 636(b)(1)(B), (C); Fed. R. Civ. P. 72(b). Objections to these proposed findings and recommendations must be filed within fourteen (14) days of the date of the report and recommendation. Any different deadline that may appear on the electronic docket is for the court's internal use only and does not control. An objecting party must serve a copy of the objections on all other parties.

A party who fails to object to the magistrate judge's findings or recommendations contained in a report and recommendation waives the right to challenge on appeal the District Court's order based on unobjected-to factual and legal conclusions. See 11th Cir. R. 3-1; 28 U.S.C. § 636.