

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
ALABAMA

Dana Dennis v. Jeanie C. Jones, et al.

Dennis · No. 4:24-cv-1303-LCB-JHE · Decided December 16, 2025

SUMMARY

The United States District Court for the Northern District of Alabama adopts a magistrate judge’s Report and Recommendation recommending dismissal of the action for failure to prosecute. Because no party objected, the court reviewed the recommendation for clear error, dismissed the case without prejudice, and directed the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Northern District of Alabama
WRITING FOR THE COURT	Liles C. Burke
JURISDICTION	United States District Court for the Northern District of Alabama
DECIDED	December 16, 2025
DOCKET	4:24-cv-1303-LCB-JHE
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending dismissal without prejudice for failure to prosecute.
STANDARD OF REVIEW	De novo review applies to portions of a magistrate judge's report to which a party specifically objects; unchallenged portions are reviewed for clear error.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Dana Dennis v. Jeanie C. Jones, et al.

TOPICS

civil procedure

PRACTICE AREAS

civil procedureprisoner civil rights

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's Report and Recommendation when no party objected to it.
2. Whether the action should be dismissed without prejudice for failure to prosecute.

HOLDINGS

1. When no party objects to a magistrate judge's report, the district court reviews the unchallenged portions for clear error and may accept, reject, or modify the report in whole or in part.
2. The action should be dismissed without prejudice for failure to prosecute.

KEY QUOTATIONS

“Having reviewed the proposed findings and recommendations for clear error, the Court concludes that the Magistrate Judge’s Report and Recommendation (Doc. 33) should be ACCEPTED and hereby ADOPTS it as the findings of the Court.”

“The case is therefore DISMISSED WITHOUT PREJUDICE.”

FACTUAL BACKGROUND

The plaintiff's action was subject to a Report and Recommendation recommending dismissal for failure to prosecute. No party filed objections to the recommendation. Upon review, the district court found no clear error and adopted the recommendation.

PROCEDURAL HISTORY

U.S. Magistrate Judge John H. England, III, issued a Report and Recommendation on October 22, 2025, recommending dismissal without prejudice for failure to prosecute. No party objected. The district court reviewed the recommendation for clear error, adopted it as the findings of the court, dismissed the action without prejudice, and directed the clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Haywood v. Green, Case No. 1:21-cv-01112-LCB-HNJ, 2023 WL 6303027, at *1 (N.D. Ala. Sept. 27, 2023)

OPINION

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ALABAMA MIDDLE DIVISION DANA DENNIS,)) Plaintiff,)) V.) Case No.: 4:24-cv-1303-LCB-JHE) JEANIE C. JONES, et al.,)) Defendants.)) ORDER On October 22, 2025, U.S. Magistrate Judge John H.

England, III, issued a Report and Recommendation in accordance with 28 U.S.C. § 636(b)(1) recommending that the Court dismiss this action without prejudice for failure to prosecute.

(Doc. 33). No party has objected to the Report and Recommendation. If a party objects to a portion of a Magistrate Judge's report or proposed findings or recommendations, the district court must review de novo those portions of the report to which the party has specifically objected. 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b). Unchallenged portions of a Magistrate Judge's report are reviewed for clear error.

Haywood v. Green, Case No. 1:21-cv-01112-LCB-HNJ, 2023 WL 6303027, at *1 (N.D. Ala. Sept. 27, 2023). The district court may, in its review, "accept, reject, or modify, in whole or in part," the Magistrate Judge's findings or recommendations. 28 U.S.C. § 636(b)(1)(C).

Having reviewed the proposed findings and recommendations for clear error, the Court concludes that the Magistrate Judge's Report and Recommendation (Doc. 33) should be ACCEPTED and hereby ADOPTS it as the findings of the Court.

The case is therefore DISMISSED WITHOUT PREJUDICE. The Clerk of Court is DIRECTED to close the case. DONE and ORDERED this December 16, 2023. LILES C. BURKE UNITED STATES DISTRICT JUDGE