

**UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
ALABAMA, NORTHERN DIVISION**

Travone Williams v. Tony D. Peterson and Sgt. Thomas

Williams v. Peterson · No. 2:25-CV-813-WKW · Decided January 21, 2026

SUMMARY

The United States District Court for the Middle District of Alabama ordered pro se prisoner Travone Williams to show cause why his 42 U.S.C. § 1983 action should not be dismissed without prejudice for failure to pay a \$10.00 initial partial filing fee. The court cited Eleventh Circuit precedent requiring reasonable steps to determine whether a prisoner attempted to comply with such an order before dismissal. Williams was given until February 11, 2026, to respond, request an extension, or arrange payment from future account funds.

OPINION

Travone Williams v. Tony D. Peterson and Sgt. Thomas

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

TRAVONE WILLIAMS,)

AIS # 182001,)

) Plaintiff,)

v.) CASE NO. 2:25-CV-813-WKW

) [WO] TONY D. PETERSON and)

SGT. THOMAS,)

) Defendants.)

ORDER

Plaintiff Travone Williams, an inmate proceeding pro se, filed this action under 42 U.S.C. § 1983. (Doc. # 1.) On December 18, 2025, the court issued an Order granting Plaintiff leave to proceed in forma pauperis and directing him to pay an initial partial filing fee of \$10.00 on or before January 5, 2026 (“December 18 Order”). (Doc. # 9.) The December 18 Order cautioned Plaintiff that his failure to pay the initial partial filing fee as directed would result in the dismissal this action. (Doc. # 9 at 5.) On January 20, 2026, Plaintiff filed a declaration in support of his motion to proceed in forma pauperis (Doc. # 10) and his prisoner trust fund account statement from July 2025 (Doc. # 11). However, Plaintiff already has been granted leave to proceed in forma pauperis, and an initial partial filing fee has been assessed. (Doc. # 9.) To date, Plaintiff has not paid the initial partial

filing fee as directed. Because Plaintiff has failed to comply with the court's December 18 Order, this case is due to be dismissed without prejudice. A district court "may dismiss a case under its inherent authority, which it possesses as a means of managing its own docket so as to achieve the orderly and expeditious disposition of cases." *McNair v. Johnson*, 143 F.4th 1301, 1306–07 (11th Cir. 2025) (cleaned up). However, the Eleventh Circuit has instructed that before dismissing an action for a prisoner's failure to pay a court-ordered initial partial filing fee, the district court must take reasonable steps to determine whether the prisoner attempted to comply with the order, such as by authorizing payment by prison officials. See *Wilson v. Sargent*, 313 F.3d 1315, 1320–21 (11th Cir. 2002) (per curiam). Giving Plaintiff a reasonable opportunity to respond to a show-cause order satisfies this requirement. See *id.* at 1321. Based on the foregoing, it is ORDERED that Plaintiff shall show cause, if there be any, on or before February 11, 2026, why this action should not be dismissed without prejudice for his failure to pay the \$10.00 initial partial filing fee as directed. If funds have been dispersed from Plaintiff's account in the time since his initial partial filing fee was assessed, and the funds are no longer available to him, Plaintiff must arrange for payment of the fee upon receipt of additional funds in his account. If Plaintiff is unable to pay the initial partial filing fee, he must inform the court and request an extension of time to pay the fee. DONE this 21st day of January, 2026. /s/ W. Keith Watkins

UNITED STATES DISTRICT JUDGE