

**UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
INDIANA**

Derek Core v. Barnes Sgt.

Core v. Barnes Sgt. · No. 2:24-cv-00621-MPB-MJD · Decided February 3, 2026

SUMMARY

The United States District Court for the Southern District of Indiana dismissed Derek Core's action without prejudice under Federal Rule of Civil Procedure 41(b). The dismissal followed the plaintiff's repeated failures to comply with court orders, respond to discovery, appear at hearings, and respond to an order to show cause.

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF INDIANA TERRE HAUTE DIVISION DEREK CORE,)) Plaintiff,)) v.) No. 2:24-cv-00621-MPB-MJD) BARNES Sgt.,)) Defendant.) ORDER DISMISSING ACTION Magistrate Judge Dinsmore recommended that this action be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b) for Plaintiff Derek Core's repeated failure to comply with the court's orders.

Dkt. 34. Specifically, Magistrate Judge Dinsmore noted: (1) Mr. Core's failure to respond to any discovery served by Defendant; (2) Mr. Core's failure to appear at a December 11, 2025 hearing in person; and (3) Mr. Core's failure to appear at a January 6, 2026 show cause hearing in person; and (4) Mr. Core's failure to otherwise respond to Magistrate Judge Dinsmore's order to show cause why the case should not be dismissed for the preceding failures.

There has not been any objection to the report and recommendation. The court adopts Magistrate Judge Dinsmore's report and recommendation, dkt. [34], in whole. See *GCIU Employer Retirement Fund v. Chicago Tribune Co.*, 8 F.3d 1195, 1198-99 (7th Cir. 1993) ("[A] party cannot decide for itself when it feels like pressing its action and when it feels like taking a break because trial judges have a responsibility to litigants to keep their court calendars as current as humanly possible.") (quotation marks and citation omitted).

This action is dismissed without prejudice pursuant to Rule 41(b). The clerk is directed to enter final judgment consistent with this order. IT IS SO ORDERED. Dated: February 3, 2026
U fp Matthew P. Brookman, Judge United States District Court Southern District of Indiana
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