

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

Pete Wright v. Cheri O'Neal, et al.

Wright v. O'Neal, No. 4:25-cv-1794-CMS (E.D. Mo. Apr. 13, 2026) · No. 4:25-cv-1794-CMS · Decided April 13, 2026

SUMMARY

The United States District Court for the Eastern District of Missouri dismissed Pete Wright’s action without prejudice for failure to comply with an order requiring him to file a Disclosure Statement and for failure to prosecute. The court also denied his motion to proceed in forma pauperis as moot and certified that an appeal would not be taken in good faith.

CASE DETAILS

|                       |                                                                                                                                                                                                         |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Eastern District of Missouri, Eastern Division                                                                                                                     |
| WRITING FOR THE COURT | Cristian M. Stevens                                                                                                                                                                                     |
| JURISDICTION          | United States District Court for the Eastern District of Missouri, Eastern Division                                                                                                                     |
| DECIDED               | April 13, 2026                                                                                                                                                                                          |
| DOCKET                | 4:25-cv-1794-CMS                                                                                                                                                                                        |
| DISPOSITION           | dismissed                                                                                                                                                                                               |
| PROCEDURAL POSTURE    | The district court dismissed the action without prejudice after Plaintiff failed to comply with an order requiring him to show cause and file a disclosure statement, and failed to prosecute the case. |
| PRECEDENTIAL VALUE    | unpublished district court memorandum and order; precedential status unknown                                                                                                                            |
| PARTIES               | Pete Wright v. Cheri O'Neal, et al.                                                                                                                                                                     |

TOPICS

- civil procedure
- sanctions
- pleadings

PRACTICE AREAS

- civil procedure

## QUESTIONS PRESENTED

1. Whether the court could dismiss the action without prejudice for Plaintiff's failure to comply with a court order requiring a show-cause response and disclosure statement.
2. Whether the court could dismiss the action sua sponte for failure to prosecute.
3. Whether Plaintiff's motion for leave to proceed in forma pauperis should be denied as moot after dismissal.

## HOLDINGS

1. A district court may dismiss an action without prejudice when the plaintiff fails to comply with a clear court order after receiving meaningful notice, an express warning of dismissal, and ample time to comply.
2. A district court has inherent authority to dismiss an action sua sponte for lack of prosecution.
3. The motion for leave to proceed in forma pauperis was denied as moot following dismissal of the action.

## KEY QUOTATIONS

*“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 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””*

## FACTUAL BACKGROUND

Pete Wright commenced a civil action and filed an amended complaint after the court directed him to use a court form. The court twice notified him that Local Rule 2.09 required a disclosure statement and then ordered him to show cause why the case should not be dismissed, expressly warning that noncompliance would result in dismissal without further notice. Wright neither responded nor sought additional time, despite having ample opportunity to comply.

## PROCEDURAL HISTORY

Plaintiff filed the action on December 4, 2025, and later filed an amended complaint on a court form. The court issued two notices requiring a disclosure statement and then ordered Plaintiff to show cause why the case should not be dismissed for failure to file it. Plaintiff did not respond or request additional time, so the court dismissed the case without prejudice and denied his motion to proceed in forma pauperis as moot.

## DISPOSITION

dismissed

## CASES CITED

- Link v. Wabash R.R. Co., 370 U.S. 626, 630-31 (1962)
- Brown v. Frey, 806 F.2d 801, 803 (8th Cir. 1986)

## OPINION

Wright

PER CURIAM.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF MISSOURI

EASTERN DIVISION

PETE WRIGHT, )

) Plaintiff, ) ) v. ) No. 4:25-cv-1794-CMS ) CHERI O'NEAL, et al., ) ) Defendants. )

## MEMORANDUM AND ORDER

This matter is before the Court upon review of the file. Plaintiff Pete Wright commenced this civil action on December 4, 2025. ECF No. 1. On December 11, 2025, the Court ordered Plaintiff to file an amended complaint on a Court form. ECF No. 3. Plaintiff filed his amended complaint on December 22, 2025. ECF No. 4. On December 29, 2025, the Court gave Notice to Plaintiff that he was required, under Local Rule 2.09, to file a Disclosure Statement. ECF No. 5. On January 26, 2026, the Court gave a Second Notice to Plaintiff that he was required to file a Disclosure Statement. ECF No. 6. On February 11, 2026, the Court ordered Plaintiff to show cause why his complaint should not be dismissed for failure to file a Disclosure Statement. ECF No. 7. Plaintiff was also ordered to attach his Disclosure Statement to his response. *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.* 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 February 11, 2026, 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 FURTHER ORDERED that Plaintiff's motion for leave to proceed in forma pauperis (ECF No. 2) will be DENIED as moot. 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 13th day of April, 2026.

CRISTIAN M. STEVENS  
UNITED STATES DISTRICT JUDGE

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