

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN, NORTHERN DIVISION

Margaret Lewis v. Abrams and Associates, et al.

Lewis · No. 1:25-cv-12217 · Decided February 9, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan adopted a magistrate judge’s report and recommendation and dismissed Margaret Lewis’s Fair Debt Collection Practices Act complaint without prejudice. The dismissal was based on Lewis’s failure to pay the filing fee after her in forma pauperis application was denied and she failed to prosecute the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan, Northern Division
WRITING FOR THE COURT	Thomas L. Ludington
JURISDICTION	United States District Court for the Eastern District of Michigan, Northern Division
DECIDED	February 9, 2026
DOCKET	1:25-cv-12217
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed and adopted a magistrate judge's report and recommendation recommending dismissal for failure to prosecute after Plaintiff failed to pay the filing fee.
STANDARD OF REVIEW	The district court reviewed the unobjected-to report and recommendation for clear error.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status not stated in the source.
PARTIES	Margaret Lewis v. Abrams and Associates, Mid America Bank and Trust Company

TOPICS

- civil procedure
- fair debt collection

PRACTICE AREAS

Civil procedure

Fair Debt Collection Practices Act

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's unobjected-to report and recommendation under a clear-error review.
2. Whether the complaint should be dismissed without prejudice for failure to prosecute after Plaintiff failed to pay the required filing fee.

HOLDINGS

1. Because the parties filed no objections and the district court found no clear error, the magistrate judge's report and recommendation should be adopted.
2. A complaint may be dismissed without prejudice for failure to prosecute when the plaintiff fails to pay the filing fee after being ordered to do so.

KEY QUOTATIONS

"Thus, they have forfeited their right to appeal Judge Morris's findings."

"Further, it is ORDERED that Plaintiff Margaret Lewis's Complaint, ECF No. 1, is DISMISSED WITHOUT PREJUDICE."

"This is a final order and closes this case."

FACTUAL BACKGROUND

Margaret Lewis filed a pro se complaint alleging that Abrams and Associates and Mid America Bank and Trust Company violated the Fair Debt Collection Practices Act. Her in forma pauperis application was incomplete, and she failed to respond to an order directing her to show cause why the application should not be denied. After being ordered to pay the filing fee, she did not pay it.

PROCEDURAL HISTORY

Plaintiff filed a pro se Fair Debt Collection Practices Act complaint and later applied to proceed in forma pauperis. After Plaintiff failed to respond to an order to show cause concerning the incomplete application, the magistrate judge recommended denying IFP status and requiring payment of the filing fee. The district court adopted that recommendation and ordered payment by December 5, 2025. Plaintiff did not pay the fee or object to the magistrate judge's subsequent recommendation that the case be dismissed, so the district court adopted the recommendation and dismissed the complaint without prejudice.

DISPOSITION

dismissed

CASES CITED

- *Berkshire v. Dahl*, 928 F.3d 520, 530–31 (6th Cir. 2019)
- *Thomas v. Arn*, 474 U.S. 140, 149 (1985)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN NORTHERN DIVISION MARGARET LEWIS, Plaintiff, Case No. 1:25-cv-12217 v. Honorable Thomas L. Ludington United States District Judge ABRAMS AND ASSOCIATES, et al., Honorable Patricia T. Morris Defendants. United States Magistrate Judge _____ / ORDER ADOPTING MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION AND DISMISSING CASE FOR FAILURE TO PROSECUTE On July 16, 2025, Plaintiff Margaret Lewis filed a pro se Complaint against Defendants Abrams and Associates and Mid America Bank and Trust Company, asserting that they violated the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692–1692p.

ECF No. 1. On July 25, 2025, Plaintiff applied to proceed in forma pauperis (IFP). ECF No. 5. The case was then referred to Magistrate Judge Patricia T. Morris for resolution of all pretrial matters. ECF No. 6. On August 11, 2025, Judge Morris ordered Plaintiff to show cause on or before September 2, 2025, why her IFP Application should not be denied because it was “incomplete and d[id] not provide enough information for the Court to assess Plaintiff’s eligibility for IFP status.” ECF No. 7 at PageID.16.

Plaintiff did not do so. Thus, Judge Morris issued a report (R&R) recommending that this Court deny her IFP Application and “direct Plaintiff to pay the filing fee within fourteen (14) days.” ECF No. 8 at PageID.18. Receiving no objection and finding no clear error, this Court adopted the R&R and directed Plaintiff to pay the filing fee by December 5, 2025.

ECF No. 9. On January 12, 2026, Judge Morris issued an R&R recommending dismissing the case for failure to prosecute because Plaintiff has not paid the filing fee. ECF No. 10. Judge Morris gave the Parties 14 days to object to the R&R, id. at PageID.28–29, but they did not do so.

Thus, they have forfeited their right to appeal Judge Morris’s findings. See *Berkshire v. Dahl*, 928 F.3d 520, 530–31 (6th Cir. 2019) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). There is no clear error in the R&R. So the R&R, ECF No. 10, will be adopted, and the Complaint, ECF No. 1, will be dismissed without prejudice.

Accordingly, it is ORDERED that Magistrate Judge Patricia T. Morris’s Report and Recommendation, ECF No. 10, is ADOPTED. Further, it is ORDERED that Plaintiff Margaret Lewis’s Complaint, ECF No. 1, is DISMISSED WITHOUT PREJUDICE. This is a final order and closes this case. Dated: February 9, 2026 s/Thomas L. Ludington THOMAS L. LUDINGTON United States District Judge

