

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
FLORIDA

Derrick Grantley v. Tori Tatum, et al.

Grantley · No. 3:26-cv-1515-TKW-HTC · Decided April 20, 2026

SUMMARY

The United States District Court for the Northern District of Florida adopted the magistrate judge’s Report and Recommendation and denied Plaintiff’s motion for leave to amend. The Court dismissed the case without prejudice under its inherent authority because Plaintiff failed to fully disclose his litigation history and directed the Clerk to enter judgment and close the case.

CASE DETAILS

COURT	United States District Court for the Northern District of Florida
WRITING FOR THE COURT	T. Kent Wetherell
JURISDICTION	United States District Court for the Northern District of Florida
DECIDED	April 20, 2026
DOCKET	3:26-cv-1515-TKW-HTC
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed the magistrate judge's Report and Recommendation de novo after Plaintiff filed objections. The court adopted the recommendation, denied Plaintiff's motion to amend, dismissed the case without prejudice, and directed the Clerk to close the case.
STANDARD OF REVIEW	De novo review of the issues raised in Plaintiff's objections under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b)(3).
PRECEDENTIAL VALUE	Unknown
PARTIES	Derrick Grantley v. Tori Tatum, et al.

TOPICS

- prisoners rights
- section 1983
- civil procedure
- pleadings
- motion to amend

PRACTICE AREAS

- civil procedure
- prisoner civil rights
- federal litigation

QUESTIONS PRESENTED

1. Whether Plaintiff's failure to list Case No. 3:25-cv-1881 constituted a misstatement of his litigation history when the case had not been dismissed when the complaint was mailed.
2. Whether Plaintiff's failure to disclose other prior cases, including a state habeas petition, justified dismissal of the action under the court's inherent authority.
3. Whether Plaintiff should be permitted to amend his complaint to add omitted litigation-history information.

HOLDINGS

1. Plaintiff's failure to list Case No. 3:25-cv-1881 was not a misstatement because that case had not yet been dismissed when the complaint was provided to prison officials for mailing.
2. A district court may dismiss a civil-rights action without prejudice under its inherent authority when the plaintiff fails to fully disclose required prior litigation history.
3. Leave to amend was properly denied because permitting Plaintiff to add the previously omitted litigation history would impose no penalty for the failure to disclose and would not deter similar abuse of the judicial process.

KEY QUOTATIONS

“allowing Plaintiff to amend his complaint at this point would amount to no penalty for his inexcusable failure to disclose his litigation history and would not serve as a deterrent to Plaintiff and others from falsely answering the questions on the civil rights complaint form.”

“The Court also did not overlook Plaintiff's argument that Question C did not clearly require him to list mandamus petitions, but that argument is not persuasive for two reasons.”

FACTUAL BACKGROUND

Plaintiff failed to disclose several prior cases in response to litigation-history questions on his civil-rights complaint form. Although one case, No. 3:25-cv-1881, had not been dismissed when Plaintiff's complaint was delivered to prison officials for mailing, Plaintiff also omitted another case under Question A and multiple cases under Question C, including a state habeas petition. The court found that the complaint form's instructions broadly required disclosure of prior state and federal cases and advised Plaintiff to err on the side of caution.

PROCEDURAL HISTORY

The magistrate judge recommended dismissal based on Plaintiff's failure to fully disclose his litigation history in his civil-rights complaint. Plaintiff objected, argued that one omitted case was not required to be disclosed, and moved for leave to amend. After de novo review, the district court rejected the objection as to the other omitted cases, denied leave to amend, dismissed the action without prejudice under its inherent authority, and ordered entry of judgment.

DISPOSITION

dismissed

CASES CITED

- Merritt v. Dep't of Corr., 2020 WL 6703794, at *1 (N.D. Fla. Nov. 13, 2020)
- Hood v. Tompkins, 197 F. App'x 818, 819 (11th Cir. 2006)
- McNair v. Johnson, 141 F.4th 1301, 1308 (11th Cir. 2025)

OPINION

GRANTLEY

PER CURIAM.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF FLORIDA

PENSACOLA DIVISION

DERRICK GRANTLEY,

Plaintiff, v. Case No. 3:26-cv-1515-TKW-HTC TORI TATUM, et al., Defendants. /

ORDER

This case is before the Court based on the magistrate judge's Report and Recommendation (Doc. 4) and Plaintiff's objections (Doc. 9). The Court reviewed the issues raised in the objection de novo under 28 U.S.C. §636(b)(1) and Fed. R. Civ. P. 72(b)(3). Based on that review, the Court agrees with Plaintiff's argument that his failure to list Case No. 3:25-cv-1881 in response to Question A was not a misstatement of his litigation history because that case had not yet been dismissed when the complaint in this case was provided to prison officials for mailing on February 26, 2026. That does not undermine the magistrate judge's recommendation that this case should be dismissed based on Plaintiff's failure to fully disclose his litigation history because the Court agrees with the magistrate judge's determination that Plaintiff also failed to list another case in response to Question A and multiple cases in response to Question C. On the latter point, the Court did not overlook Plaintiff's argument that Question C did not clearly require him to list mandamus petitions, but that argument is not persuasive for two reasons. First, the introductory instructions for the litigation history questions broadly referred to the disclosure of "all prior state and federal cases—including but not limited to civil cases, habeas cases, and appeals" and advised Plaintiff to "err on the side of caution if you are uncertain whether a case should be identified." Doc. 1 at 20 (emphasis added). Second, one of the cases that Plaintiff failed to list in response to Question C was a state habeas petition, not a mandamus petition, and that question clearly requires disclosures of "habeas corpus petition[s] ... in state ... court." The Court also did not overlook Plaintiff's motion for leave to file an amended complaint (Doc. 8) in which he asserted that he "recently received case numbers from past litigations and [he] needs to add them to Question A and Question C of his complaint." However, "allowing Plaintiff to amend his complaint at this point

would amount to no penalty for his inexcusable failure to disclose his litigation history and would not serve as a deterrent to Plaintiff and others from falsely answering the questions on the civil rights complaint form.” *Merritt v. Dep’t of Corr.*, 2020 WL 6703794, at *1 (N.D. Fla. Nov. 13, 2020); see also *Hood v. Tompkins*, 197 F. App’x 818, 819 (11th Cir. 2006) (“[T]he district court was correct to conclude that to allow [the plaintiff] to then acknowledge what he should have disclosed earlier would serve to overlook his abuse of the judicial process.”). Accordingly, it is ORDERED that:

1. The magistrate judge’s Report and Recommendation is adopted and incorporated by reference in this Order.
2. Plaintiff’s motion for leave to file an amended complaint (Doc. 8) is DENIED.
3. This case is DISMISSED without prejudice under the Court’s inherent authority based on Plaintiffs failure to fully disclose his litigation history. See *McNair v. Johnson*, 141 F.4th 1301, 1308 (11th Cir. 2025).
4. The Clerk shall enter judgment in accordance with this Order and close the case file. DONE AND ORDERED this 20th day of April, 2026. 7 [er ata TM

T.KENT WETHERELL,

UNITED STATES DISTRICT JUDGE

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