

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TENNESSEE

Robert Bowen v. Hamilton County Sheriff's Office and Hamilton
County Jail and Detention Center

Case No. 1:26-cv-53 · No. 1:26-cv-53 · Decided April 10, 2026

SUMMARY

The United States District Court for the Eastern District of Tennessee dismissed Robert Bowen’s prisoner civil-rights action without prejudice under Federal Rule of Civil Procedure 41(b) for failure to state a claim, failure to prosecute, and failure to comply with a court order. The court also certified that any appeal would not be taken in good faith and denied in forma pauperis status for any appeal.

CASE DETAILS

COURT	United States District Court for the Eastern District of Tennessee
WRITING FOR THE COURT	Charles E. Atchley, Jr.
JURISDICTION	United States District Court for the Eastern District of Tennessee
DECIDED	April 10, 2026
DOCKET	1:26-cv-53
DISPOSITION	dismissed
PROCEDURAL POSTURE	Prisoner civil-rights action dismissed under Federal Rule of Civil Procedure 41(b) after the plaintiff failed to file an amended complaint or otherwise comply with the court's order.
STANDARD OF REVIEW	The court applied the Rule 41(b) dismissal factors: whether the failure was willful, in bad faith, or attributable to the party; whether the opposing party was prejudiced; whether the party was warned that noncompliance could lead to dismissal; and whether lesser sanctions were imposed or considered.
PRECEDENTIAL VALUE	Unpublished federal district court memorandum opinion; persuasive value only.

TOPICS

- civil procedure
- sanctions
- prisoners rights
- section 1983

PRACTICE AREAS

civil procedure

civil rights

prisoner litigation

QUESTIONS PRESENTED

1. Whether the action should be dismissed under Federal Rule of Civil Procedure 41(b) because Plaintiff failed to prosecute and failed to comply with the court's order to file an amended complaint.
2. Whether any appeal would be taken in good faith for purposes of 28 U.S.C. § 1915(a)(3) and Federal Rule of Appellate Procedure 24(a).

HOLDINGS

1. A district court may dismiss an action under Federal Rule of Civil Procedure 41(b) when a plaintiff willfully fails to comply with a court order, after considering the relevant dismissal factors. Plaintiff's failure to file the required amended complaint warranted dismissal without prejudice.
2. Any appeal from the action would not be taken in good faith and would be totally frivolous; therefore, Plaintiff would be denied leave to appeal in forma pauperis.

KEY QUOTATIONS

“When considering dismissal of an action under Rule 41(b), a court must assess: (1) whether the party’s failure is due to willfulness, bad faith, or fault; (2) whether the adversary was prejudiced by the dismissed party’s conduct; (3) whether the dismissed party was warned that failure to cooperate could lead to dismissal; and (4) whether less drastic sanctions were imposed or considered [before dismissal].”

“while pro se litigants may be entitled to some latitude when dealing with sophisticated legal issues, acknowledging their lack of formal training, there is no cause for extending this margin to straightforward procedural requirements that a layperson can comprehend as easily as a lawyer.”

FACTUAL BACKGROUND

Plaintiff brought a prisoner civil-rights action against the Hamilton County Sheriff's Office and the Hamilton County Jail and Detention Center. The court determined that Plaintiff's initial complaint could not proceed, dismissed the defendants, and ordered Plaintiff to file an amended complaint within fourteen days. Plaintiff failed to file the amended complaint or otherwise communicate with the court, despite an express warning that noncompliance would result in dismissal.

PROCEDURAL HISTORY

The court previously granted Plaintiff leave to proceed in forma pauperis, dismissed all defendants for failure to state a claim, and gave Plaintiff fourteen days to file an amended complaint. Plaintiff did not file an amended complaint or communicate with the court by the deadline. The court dismissed the action without prejudice for failure to state a claim and failure to prosecute and comply with a court order, and denied in forma pauperis status for any appeal.

DISPOSITION

dismissed

CASES CITED

- Schafer v. City of Defiance Police Dep't, 529 F.3d 731, 736 (6th Cir. 2008)
- Knoll v. AT&T Co., 176 F.3d 359, 363 (6th Cir. 1999)
- Rodriguez v. Hirshberg Acceptance Corp., 62 F.4th 270, 277 (6th Cir. 2023)
- Wu v. T.W. Wang, Inc., 420 F.3d 641, 643 (6th Cir. 2005)
- Jourdan v. Jabe, 951 F.2d 108, 109 (6th Cir. 1991)

OPINION

ROBERT BOWEN v. HAMILTON COUNTY SHERIFF'S OFFICE and HAMILTON COUNTY JAIL AND DETENTION CENTER

PER CURIAM.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TENNESSEE

AT CHATTANOOGA

ROBERT BOWEN,)

) Plaintiff,) Case No. 1:26-cv-53) v.) Judge Atchley) HAMILTON COUNTY SHERIFF'S)
Magistrate Judge Steger

OFFICE and HAMILTON COUNTY JAIL)

AND DETENTION CENTER,)

) Defendants.)

MEMORANDUM OPINION

On March 3, 2026, this Court entered a Memorandum and Order granting Plaintiff leave to proceed in forma pauperis in this prisoner's civil rights action, dismissing all Defendants for failure to state a claim upon which relief may be granted, and providing Plaintiff with fourteen (14) days within which to submit an amended complaint. [Doc. 6]. The deadline for compliance has expired, and Plaintiff has not filed his amended complaint or otherwise communicated with the Court. Under Rule 41(b), the Court may dismiss an action where a plaintiff fails "to prosecute or to comply with these rules or a court order[.]" See Fed. R. Civ. P. 41(b); see also Schafer v. City of Defiance Police Dep't, 529 F.3d 731, 736 (6th Cir. 2008) (citation omitted) (noting that Rule 41(b) "confers on district courts the authority to dismiss an action for failure of a plaintiff to . . . comply with the Rules or any order of the court"). Rule 41(b) "is available to the district court as a tool to effect management of its docket and" to avoid "unnecessary burdens on the tax-supported courts[.]" Knoll v. AT&T Co., 176 F.3d 359, 363 (6th Cir. 1999) (citation and internal quotation marks omitted). When considering dismissal of an action under Rule 41(b), a court must assess: (1) whether the party's failure is due to willfulness, bad faith, or fault; (2) whether

the adversary was prejudiced by the dismissed party's conduct; (3) whether the dismissed party was warned that failure to cooperate could lead to dismissal; and

(4) whether less drastic sanctions were imposed or considered [before dismissal].

Rodriguez v. Hirshberg Acceptance Corp., 62 F.4th 270, 277 (6th Cir. 2023) (citing Wu v. T.W. Wang, Inc., 420 F.3d 641, 643 (6th Cir. 2005)). Applying these rules requires the Court to dismiss this action. Plaintiff's initial complaint could not proceed, Plaintiff has willfully failed to comply with the Court's Order to file an amended complaint, and the Court expressly warned Plaintiff that failure to comply would result in the dismissal of this action. [Doc. 6 at 5 ¶ 7]. Under these circumstances, any sanction short of dismissal would simply allow this action to languish on the Court's docket. "[W]hile pro se litigants may be entitled to some latitude when dealing with sophisticated legal issues, acknowledging their lack of formal training, there is no cause for extending this margin to straightforward procedural requirements that a layperson can comprehend as easily as a lawyer." Jourdan v. Jabe, 951 F.2d 108, 109 (6th Cir. 1991). Nothing about Plaintiff's pro se status prevented him from complying with the Court's Order. Accordingly, the Court will DISMISS this action without prejudice for failure to state a claim and failure to prosecute and comply with an Order of the Court. See Rodriguez, 62 F.4th at 277. Finally, the Court CERTIFIES that any appeal from this action would not be taken in good faith and would be totally frivolous. See 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24(a). Should Plaintiff file a notice of appeal, he will be DENIED leave to appeal in forma pauperis. See id. SO ORDERED. AN APPROPRIATE JUDGMENT ORDER WILL ENTER. /s/ Charles E. Atchley, Jr. c CHARLES E. ATCHLEY, JR.
UNITED STATES DISTRICT JUDGE