

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

Roxanne E. Rankin v. Katie Murdock

Rankin · No. 25-cv-4586 (MJD/DJF) · Decided January 9, 2026

SUMMARY

A United States magistrate judge recommends dismissing Roxanne E. Rankin’s action against Katie Murdock without prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute. The recommendation followed Rankin’s failure to pay the filing fee or apply for in forma pauperis status and her lack of communication with the court.

CASE DETAILS

COURT	United States District Court for the District of Minnesota
WRITING FOR THE COURT	Dulce J. Foster
JURISDICTION	United States District Court for the District of Minnesota
DECIDED	January 9, 2026
DOCKET	25-cv-4586 (MJD/DJF)
DISPOSITION	other
PROCEDURAL POSTURE	Report and recommendation by a magistrate judge recommending dismissal without prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute.
STANDARD OF REVIEW	A district court has discretion to dismiss an action under Federal Rule of Civil Procedure 41(b) for failure to prosecute or failure to comply with the Federal Rules of Civil Procedure or a court order.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Roxanne E. Rankin v. Katie Murdock

TOPICS

civil procedure

PRACTICE AREAS

civil procedureprisoner civil rights

QUESTIONS PRESENTED

1. Whether the action should be dismissed without prejudice under Federal Rule of Civil Procedure 41(b) because plaintiff failed to pay the filing fee, seek in forma pauperis status, or otherwise prosecute the action.

HOLDINGS

1. The magistrate judge recommended that the action be dismissed without prejudice under Federal Rule of Civil Procedure 41(b) because plaintiff failed to comply with the Clerk's filing-fee directive and failed to prosecute the action.

KEY QUOTATIONS

“A district court has discretion to dismiss an action under Rule 41(b) for a plaintiff’s failure to prosecute, or to comply with the Federal Rules of Civil Procedure or any court order.”

FACTUAL BACKGROUND

The Clerk ordered Roxanne E. Rankin to pay the \$405 filing fee or submit an application to proceed in forma pauperis within 15 days. Rankin did neither and had not communicated with the court since commencing the action; the court was also unable to contact her or determine her current location.

PROCEDURAL HISTORY

The Clerk directed plaintiff to pay the \$405 filing fee or apply for in forma pauperis status within 15 days and warned that failure to do so could result in dismissal without prejudice. Plaintiff neither paid the fee nor applied for IFP status and did not communicate with the court; the magistrate judge therefore recommended dismissal without prejudice.

DISPOSITION

other

CASES CITED

- Henderson v. Renaissance Grand Hotel, 267 F. App'x 496, 497 (8th Cir. 2008) (per curiam)

OPINION

UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA Roxanne E. Rankin, Case No. 25-cv-4586 (MJD/DJF) Plaintiff, v. REPORT AND RECOMMENDATION Katie Murdock, Manager of RRM Minneapolis, Defendant. In a letter dated December 11, 2025, the Clerk of Court directed plaintiff Roxanne E. Rankin to submit the \$405.00 filing fee for this action or apply for in forma pauperis (“IFP”) status.

(ECF No. 2.) The letter gave Ms. Rankin 15 days to pay the filing fee or submit an IFP application, failing which this action could be dismissed without prejudice for failure to prosecute.

That deadline has now passed, and Ms. Rankin has not paid the filing fee for this matter or applied for IFP status.

In fact, Ms. Rankin has not communicated with the Court about this case at all since commencing this action, and the Court has been unable to contact Ms. Rankin or determine where she is now located. Accordingly, the Court now recommends that this action be dismissed without prejudice under Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute.

See *Henderson v. Renaissance Grand Hotel*, 267 F. App'x 496, 497 (8th Cir. 2008) (per curiam) (“A district court has discretion to dismiss an action under Rule 41(b) for a plaintiff’s failure to prosecute, or to comply with the Federal Rules of Civil Procedure or any court order.”). RECOMMENDATION Based on the foregoing, and on all the files, records, and proceedings herein, IT IS HEREBY RECOMMENDED that this action be DISMISSED WITHOUT PREJUDICE under Fed.

R. Civ. P. 41(b) for failure to prosecute. Dated: January 9, 2026 s/ Dulce J. Foster Dulce J. Foster
United States Magistrate Judge NOTICE Filing Objections: This Report and Recommendation is not an order or judgment of the District Court and is therefore not appealable directly to the Eighth Circuit Court of Appeals.

Under Local Rule 72.2(b)(1), “a party may file and serve specific written objections to a magistrate judge’s proposed finding and recommendations within 14 days after being served a copy” of the Report and Recommendation. A party may respond to those objections within 14 days after being served a copy of the objections. See Local Rule 72.2(b)(2). All objections and responses must comply with the word or line limits set forth in Local Rule 72.2(c).