

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
MISSISSIPPI, SOUTHERN DIVISION

Jeffrey Mitchell Elkins v. Lee Russell, et al.

Elkins · No. 1:25-cv-00349-LG-BWR · Decided February 18, 2026

SUMMARY

The United States District Court for the Southern District of Mississippi dismissed Jeffrey Mitchell Elkins’s pro se action without prejudice for failure to obey court orders and failure to prosecute. The dismissal was entered under Federal Rule of Civil Procedure 41(b) and the court’s inherent authority after Elkins failed to respond to orders or maintain a current address.

CASE DETAILS

COURT	United States District Court for the Southern District of Mississippi, Southern Division
WRITING FOR THE COURT	Louis Guirola, Jr.
JURISDICTION	United States District Court for the Southern District of Mississippi, Southern Division
DECIDED	February 18, 2026
DOCKET	1:25-cv-00349-LG-BWR
DISPOSITION	dismissed
PROCEDURAL POSTURE	The court sua sponte dismissed the pro se plaintiff's civil-rights action without prejudice after he failed to comply with court orders, respond to orders to show cause, or maintain a current mailing address.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- sanctions
- civil procedure

PRACTICE AREAS

- civil procedure
- prisoner civil rights

QUESTIONS PRESENTED

- Whether the court may dismiss an action without prejudice under Federal Rule of Civil Procedure 41(b) and its inherent authority when the plaintiff fails to obey court orders and fails to prosecute the action.

HOLDINGS

1. A district court may dismiss an action without prejudice under Federal Rule of Civil Procedure 41(b) and its inherent authority to manage its docket when a plaintiff repeatedly fails to obey court orders, fails to respond to orders to show cause, and does not maintain communication with the court.

KEY QUOTATIONS

“The Court must be able to clear its calendar “of cases that have remained dormant because of the inaction or dilatoriness of the parties seeking relief . . . to achieve the orderly and expeditious disposition of cases.””

“Such a “sanction is necessary in order to prevent undue delays in the disposition of pending cases and to avoid congestion in the calendars of the District Courts.””

FACTUAL BACKGROUND

Jeffrey Mitchell Elkins, proceeding pro se and formerly housed at the Harrison County Adult Detention Center, stopped communicating with the court after filing his complaint. He failed to acknowledge receipt of court-ordered materials, respond to two orders to show cause, or provide a current mailing address after court mail was returned as undeliverable. The court had warned him four times that noncompliance or failure to maintain his address could result in dismissal.

PROCEDURAL HISTORY

Plaintiff initiated the action on November 20, 2025. The court ordered him to review case-prosecution materials and acknowledge receipt, then issued an initial and a final order to show cause after receiving no response. The final order was returned as undeliverable, and plaintiff neither responded nor updated his address. Defendants had not been served or otherwise appeared, and the court had not reached the merits.

DISPOSITION

dismissed

CASES CITED

- Link v. Wabash R.R. Co., 370 U.S. 626, 629-31 (1962)
- McCullough v. Lynaugh, 835 F.2d 1126, 1127 (5th Cir. 1988)

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