

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
GEORGIA, MACON DIVISION

James Adam Hawkins v. Georgia State Board of Pardons and
Paroles, et al.

Hawkins · No. 5:25-cv-298-MTT-ALS · Decided January 26, 2026

SUMMARY

The United States District Court for the Middle District of Georgia dismissed James Adam Hawkins’s pro se § 1983 action without prejudice for failure to comply with orders requiring him to recast his complaint and address the filing fee or in forma pauperis status. The court relied on its authority under Federal Rule of Civil Procedure 41(b) to dismiss for failure to prosecute or obey court orders, noting that dismissal with prejudice could also be appropriate if the statute of limitations barred refiling.

CASE DETAILS

COURT	United States District Court for the Middle District of Georgia, Macon Division
WRITING FOR THE COURT	Marc T. Treadwell
JURISDICTION	United States District Court for the Middle District of Georgia, Macon Division
DECIDED	January 26, 2026
DOCKET	5:25-cv-298-MTT-ALS
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court sua sponte dismissed a pro se prisoner's 42 U.S.C. § 1983 action without prejudice after he failed to comply with orders requiring him to recast his complaint and either pay the filing fee or submit a proper motion to proceed in forma pauperis, despite repeated warnings and an order to show cause.
STANDARD OF REVIEW	A district court may manage its docket and dismiss an action for failure to prosecute or failure to comply with court orders; dismissal without prejudice under Federal Rule of Civil Procedure 41(b) is generally appropriate where a plaintiff fails to comply, particularly after being warned.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status unknown

PARTIES

James Adam Hawkins v. Georgia State Board of Pardons and Paroles,
et al.

TOPICS

civil procedure

section 1983

sanctions

PRACTICE AREAS

civil procedure

civil rights

prisoner litigation

QUESTIONS PRESENTED

1. Whether the district court could dismiss the action under Federal Rule of Civil Procedure 41(b) for failure to comply with court orders and failure to prosecute.
2. Whether dismissal without prejudice was appropriate after repeated noncompliance and warnings, including where the statute of limitations might make the dismissal effectively operate as a dismissal with prejudice.

HOLDINGS

1. A district court may dismiss an action under Federal Rule of Civil Procedure 41(b) when a plaintiff fails to prosecute or fails to comply with the court's orders, and the repeated failure to comply with the court's orders in this case warranted dismissal.
2. Even assuming the dismissal without prejudice would effectively operate as a dismissal with prejudice because of the statute of limitations, dismissal remained appropriate because the record showed repeated delay or willful noncompliance and lesser sanctions were inadequate.

KEY QUOTATIONS

“Dismissal without prejudice is generally appropriate pursuant to Rule 41(b) where a plaintiff has failed to comply with a court order, “especially where the litigant has been forewarned.””

“This action is therefore DISMISSED without prejudice because Plaintiff failed to comply with the Court’s October 28, 2025 Order.”

FACTUAL BACKGROUND

James Adam Hawkins, a state prisoner proceeding pro se, filed a pleading seeking relief under 42 U.S.C. § 1983. He did not comply with repeated orders to recast his complaint and either pay the filing fee or file a complete motion to proceed in forma pauperis, even after the court warned that noncompliance could result in dismissal.

PROCEDURAL HISTORY

Plaintiff filed a pro se pleading docketed as a § 1983 complaint. The court ordered him to recast the complaint and address the filing fee or submit a complete in forma pauperis motion, then issued a show-cause order after

he failed to respond. Plaintiff again failed to comply, and the court dismissed the action without prejudice for failure to comply with court orders.

DISPOSITION

dismissed

CASES CITED

- Equity Lifestyle Props., Inc. v. Fla. Mowing & Landscape Serv., Inc., 556 F.3d 1232, 1240-41 (11th Cir. 2009)
- Chambers v. NASCO, Inc., 501 U.S. 32, 43 (1991)
- Owens v. Pinellas Cnty. Sheriff's Dep't, 331 F. App'x 654, 656 (11th Cir. 2009)
- Moon v. Newsome, 863 F.2d 835, 837 (11th Cir. 1989)
- Stephenson v. Doe, 554 F. App'x 835, 837 (11th Cir. 2014)
- Justice v. United States, 6 F.3d 1474, 1482 n.15 (11th Cir. 1993)
- Hickman v. Hickman, 563 F. App'x 742, 744 (11th Cir. 2014)
- Eades v. Ala. Dep't of Human Res., 298 F. App'x 862, 864 (11th Cir. 2008)

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