

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TENNESSEE

David Russell Brooks v. Bill Lee et al.

No. 3:24-CV-00050-DCLC-JEM · No. No. 3:24-CV-00050-DCLC-JEM · Decided March 5, 2026

SUMMARY

The United States District Court for the Eastern District of Tennessee dismissed David Russell Brooks’s 42 U.S.C. § 1983 complaint without prejudice for failure to prosecute. The court also concluded that his challenge to lifetime community supervision attacked the validity of his sentence and therefore had to be pursued through habeas corpus rather than § 1983. The Clerk was directed to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of Tennessee
WRITING FOR THE COURT	Clifton L. Corker
JURISDICTION	United States District Court for the Eastern District of Tennessee
DECIDED	March 5, 2026
DOCKET	No. 3:24-CV-00050-DCLC-JEM
DISPOSITION	dismissed
PROCEDURAL POSTURE	On sua sponte review, the district court dismissed a pro se plaintiff's 42 U.S.C. § 1983 complaint without prejudice for failure to prosecute after he failed to respond to a motion to dismiss and a show-cause order. The court also concluded that the claims were not cognizable under § 1983 because they challenged the validity of the plaintiff's sentence and had to be pursued through habeas corpus.
STANDARD OF REVIEW	The court conducted a sua sponte review of the record and exercised its discretion under Federal Rule of Civil Procedure 41(b) to dismiss for failure to prosecute. The legal sufficiency of the complaint was also considered under the grounds asserted in defendants' motion to dismiss.
PRECEDENTIAL VALUE	Unknown; memorandum opinion and order from a federal district court with no reporter citation.

TOPICS

section 1983

federal habeas corpus

cruel and unusual punishment

motions to dismiss

civil procedure

PRACTICE AREAS

civil rights

federal habeas corpus

civil procedure

constitutional law

QUESTIONS PRESENTED

1. Whether the court could dismiss the complaint for failure to prosecute after the pro se plaintiff failed to respond to defendants' motion to dismiss and to a show-cause order despite being warned that noncompliance could result in dismissal.
2. Whether a § 1983 action could be used to challenge the validity of Brooks's sentence of lifetime post-release community supervision and obtain removal from that sentence.
3. Whether the complaint should be dismissed with or without prejudice under Federal Rule of Civil Procedure 41(b).

HOLDINGS

1. A federal district court may dismiss a pro se plaintiff's action for failure to prosecute when the plaintiff fails to comply with a court order after receiving notice that noncompliance may result in dismissal. Brooks's failure to respond to the show-cause order warranted dismissal.
2. A claim seeking to invalidate or obtain removal from a criminal sentence of lifetime post-release community supervision is not cognizable under § 1983; the plaintiff must pursue habeas corpus relief.
3. The court had discretion to dismiss the complaint without prejudice rather than with prejudice.

KEY QUOTATIONS

“The authority of a federal trial court to dismiss a plaintiff’s action with prejudice because of his failure to prosecute cannot seriously be doubted.” (at 1)

“[A] court may properly dismiss a pro se litigant’s case for failure to comply with the court’s order where the court puts the pro se party on notice that failure to comply will result in dismissal.” (at 2)

“[A] pro se litigant[’s] fail[ure] to comply with an easily understood court-imposed deadline . . . is no basis for treating that party more generously than a represented litigant.” (at 2)

“[H]abeas corpus is the exclusive remedy for a state prisoner who challenges the fact or duration of his confinement . . . even though such a claim may come within the literal terms of § 1983.” (at 2)

“A challenge to the imposition of community supervision for life . . . involves an attempt to ‘render a . . . sentence invalid[.]’” (at 2)

“[A]bsent any indication that these defendants are being sued individually, we must assume that they are being sued in their official capacities[.]” (at 3)

FACTUAL BACKGROUND

Brooks alleged that, after serving more than twelve years for attempted aggravated sexual battery, he was placed on post-release community supervision for life. He characterized lifetime community supervision as cruel and unlawful, sought removal from it, and requested \$2,500,000 in damages under 42 U.S.C. § 1983. He failed to respond to defendants' motion to dismiss and then failed to respond to the court's show-cause order.

PROCEDURAL HISTORY

Defendants moved to dismiss the complaint. The court ordered Brooks to show cause why the action should not be dismissed for lack of prosecution after he failed to respond to the motion. Brooks did not respond by the deadline despite notice that dismissal could result. The court dismissed the complaint without prejudice and directed the Clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Link v. Wabash R.R. Co., 370 U.S. 626, 629 (1962)
- Gardner v. United States, No. 97-5469, 1999 WL 232693, at *2 (6th Cir. Apr. 15, 1999)
- Harris v. Callwood, 844 F.2d 1254, 1256 (6th Cir. 1988)
- Pilgrim v. Littlefield, 92 F.3d 413, 416 (6th Cir. 1996)
- Pollitt v. Gen. Motors Corp., 894 F.2d 858, 862 (6th Cir. 1990)
- Carter v. City of Memphis, 636 F.2d 159, 161 (6th Cir. 1980)
- Ward v. State, 315 S.W.3d 461, 473 (Tenn. 2010)
- United States v. Barcus, 892 F.3d 228, 234-35 (6th Cir. 2018)
- Heck v. Humphrey, 512 U.S. 477, 481, 486-87 (1994)
- Preiser v. Rodriguez, 411 U.S. 475, 488-89 (1973)
- Nichols v. Lee, No. 3:22-cv-01004, 2023 WL 612904, at *2 (M.D. Tenn. Sept. 19, 2023)
- Poindexter v. Overton, 110 F. App'x 646, 647 (6th Cir. 2004)
- Maleng v. Cook, 490 U.S. 488, 490-91 (1989)
- Jones v. Cunningham, 371 U.S. 236, 243 (1963)
- United States v. Zack, No. 98-1526, 1999 WL 96996, at *1 (6th Cir. Feb. 1, 1999)
- Whittington v. Milby, 928 F.2d 188, 193 (6th Cir. 1991)
- Hafer v. Melo, 502 U.S. 21, 25 (1991)

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