

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA

Christopher Dehut v. JPMorgan Chase Bank, N.A.

Dehut · No. CIV-25-644-G · Decided January 20, 2026

SUMMARY

The United States District Court for the Western District of Oklahoma dismissed Christopher Dehut’s action against JPMorgan Chase Bank, N.A. without prejudice. The court found that Dehut failed to attend a status and scheduling conference, participate in preparing the joint status report, respond to two show-cause orders, or otherwise prosecute the action, warranting dismissal under Federal Rule of Civil Procedure 41(b).

CASE DETAILS

COURT	United States District Court for the Western District of Oklahoma
JURISDICTION	United States District Court for the Western District of Oklahoma
DECIDED	January 20, 2026
DOCKET	CIV-25-644-G
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff filed an action in state court alleging breach of contract, violation of the Electronic Fund Transfer Act, and negligence. Defendant removed the action to federal court. The district court dismissed the action without prejudice under Federal Rule of Civil Procedure 41(b) because Plaintiff failed to prosecute, attend a status and scheduling conference, participate in preparing the joint status report, and comply with two show-cause orders.
PRECEDENTIAL VALUE	Unknown; district court order with no reported citation or stated precedential designation.

TOPICS

- civil procedure
- breach of contract
- negligence
- consumer protection

PRACTICE AREAS

- civil procedure
- contracts
- consumer protection
- torts

QUESTIONS PRESENTED

1. Whether the district court could dismiss the action sua sponte under Federal Rule of Civil Procedure 41(b) for Plaintiff's failure to prosecute and failure to comply with court orders.
2. Whether dismissal without prejudice required the court to follow particular procedural safeguards before entering the dismissal.

HOLDINGS

1. Federal Rule of Civil Procedure 41(b) permits a court to dismiss an action sua sponte when a plaintiff fails to prosecute or fails to comply with the Federal Rules of Civil Procedure or a court order. Plaintiff's repeated failures justified dismissal without prejudice.
2. Because the dismissal was without prejudice, the court generally was not required to follow particular procedures before entering the dismissal order.

KEY QUOTATIONS

"Under Federal Rule of Civil Procedure 41(b), if a plaintiff 'fails to prosecute or to comply with these rules or a court order,' the Court may dismiss the action." (Discussion)

"Plaintiff's failure to prosecute this action and to comply with the Court's orders leaves the Court unable 'to achieve an orderly and expeditious' resolution of this action." (Discussion)

FACTUAL BACKGROUND

Plaintiff failed to attend a status and scheduling conference and did not contact the court about his absence. He also failed to participate in preparing or submitting the required joint status report. Plaintiff did not respond to either of two show-cause orders, request additional time, or otherwise communicate with the court.

PROCEDURAL HISTORY

Plaintiff initiated the action in state court on April 29, 2025, and Defendant removed it to the United States District Court for the Western District of Oklahoma on June 11, 2025. Plaintiff failed to attend the October 29, 2025 status and scheduling conference and failed to participate in the joint status report. After Plaintiff did not respond to an October 31, 2025 show-cause order or a December 4, 2025 second show-cause order, the court dismissed the action without prejudice for failure to prosecute and failure to comply with court orders.

DISPOSITION

dismissed

CASES CITED

- Huggins v. Supreme Court of the United States, 480 F. App'x 915, 916-17 (10th Cir. 2012)
- AdvantEdge Business Group, L.L.C. v. Thomas E. Mestmaker & Associates, Inc., 552 F.3d 1233, 1236 (10th Cir. 2009)
- Robledo-Valdez v. Smelser, 593 F. App'x 771, 775 (10th Cir. 2014)

- Link v. Wabash Railroad Co., 370 U.S. 626, 629-31 (1962)

OPINION

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA
CHRISTOPHER DEHUT,)) Plaintiff,)) v.) Case No. CIV-25-644-G) JPMORGAN CHASE
BANK, N.A.,)) Defendant.) ORDER Plaintiff Christopher Dehut initiated this action on April
29, 2025, in state court, alleging breach of contract, violation of the Electronic Fund Transfer Act,
and negligence against Defendant JPMorgan Chase Bank, N.A.

See Pet. (Doc. No. 1-2). The case was removed to this Court on June 11, 2025. Because Plaintiff has failed to comply with the Court's orders and applicable rules, the Court now dismisses the action without prejudice.

I. Background On October 29, 2025, the Court held a status and scheduling conference in this matter. See Doc. No. 14. Plaintiff failed to attend the conference or contact the Court regarding his absence. Plaintiff further failed to participate in the preparation or submission of the joint status report as prescribed by the Federal Rules of Civil Procedure and the Court's Local Civil Rules.

On October 31, 2025, the Court ordered Plaintiff to show cause within seven days for his failure to attend the conference or to meaningfully assist in the preparation of the joint status report. See Order to Show Cause (Doc. No. 16).

The Court's show cause order was mailed to Plaintiff at his address of record. Plaintiff failed to thereafter file a response, request an extension of time, or otherwise communicate with the Court. On December 4, 2025, the Court issued a subsequent order directing Plaintiff to show cause within seven days why this action should not be dismissed for failure to prosecute and failure to comply with the Court's prior order.

See Second Order to Show Cause (Doc. No. 17). The order was mailed to Plaintiff at his address of record. As of this date, Plaintiff has not filed a response, requested an extension of time to comply, or otherwise contacted the Court regarding this action. II. Discussion Under Federal Rule of Civil Procedure 41(b), if a plaintiff "fails to prosecute or to comply with these rules or a court order," the Court may dismiss the action.

Fed. R. Civ. P. 41(b). The Tenth Circuit "ha[s] consistently interpreted Rule 41(b) to permit courts to dismiss actions sua sponte for a plaintiff's failure to prosecute." *Huggins v. Sup. Ct. of U.S.*, 480 F. App'x 915, 916-17 (10th Cir. 2012) (internal quotation marks omitted); see also *AdvantEdge Bus. Grp. v. Thomas E. Mestmaker & Assocs., Inc.*, 552 F.3d 1233, 1236 (10th Cir.

2009). If the dismissal is without prejudice, the Court generally need not follow any "particular procedures" in entering the dismissal order. *AdvantEdge Bus. Grp.*, 552 F.3d at 1236; see *Robledo-Valdez v. Smelser*, 593 F. App'x 771, 775 (10th Cir. 2014). Plaintiff's failure to prosecute

this action and to comply with the Court's orders leaves the Court unable "to achieve an orderly and expeditious" resolution of this action.

Link v. Wabash R.R. Co., 370 U.S. 626, 629-31 (1962) (discussing the inherent power of a court to dismiss suits for lack of prosecution on its own initiative). CONCLUSION Accordingly, this action is DISMISSED WITHOUT PREJUDICE. A separate judgment shall be entered. IT IS SO ORDERED this 20th day of January, 2026. United States District Judge