

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
ARKANSAS, FAYETTEVILLE DIVISION

Jabares Kenyon Garrison v. Deputy Suraj Bhardwaj, Benton County
Detention Center (BCDC); Officer Zachery Wilson, BCDC; Sergeant
Kevin Miller, BCDC; and Deputy White

Garrison · No. 5:25-cv-05040-SGS · Decided March 30, 2026

SUMMARY

The United States District Court for the Western District of Arkansas dismissed Jabares Kenyon Garrison’s 42 U.S.C. § 1983 action with prejudice under Federal Rule of Civil Procedure 41(b) after he failed to respond to the defendants’ motion for summary judgment and failed to comply with orders directing him to respond and show cause. The court concluded that his intentional noncompliance, the late stage of the case, and the defendants’ expenditure of resources warranted dismissal with prejudice.

CASE DETAILS

COURT	United States District Court for the Western District of Arkansas, Fayetteville Division
WRITING FOR THE COURT	Spencer G. Singleton
JURISDICTION	United States District Court for the Western District of Arkansas, Fayetteville Division
DECIDED	March 30, 2026
DOCKET	5:25-cv-05040-SGS
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff's civil-rights action under 42 U.S.C. § 1983 was before the district court on Plaintiff's failure to comply with court orders and failure to prosecute after Defendants filed a motion for summary judgment.
STANDARD OF REVIEW	A Rule 41(b) dismissal for failure to prosecute or failure to comply with a court order is committed to the district court's discretion; dismissal with prejudice is appropriate when the record shows intentional noncompliance, clear delay, or contumacious conduct, assessed in light of the conduct's impact on the defendants and the administration of justice.

PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Jabares Kenyon Garrison v. Deputy Suraj Bhardwaj, Benton County Detention Center (BCDC), Officer Zachery Wilson, Sergeant Kevin Miller, Deputy White

TOPICS

civil procedure section 1983 prisoners rights summary judgment

PRACTICE AREAS

civil procedure civil rights prisoner civil rights

QUESTIONS PRESENTED

1. Whether the action should be dismissed under Federal Rule of Civil Procedure 41(b) because Plaintiff failed to comply with court orders and failed to prosecute.
2. Whether the dismissal should be with prejudice given Plaintiff's intentional noncompliance and the resources expended by Defendants.

HOLDINGS

1. A district court may dismiss an action sua sponte under Federal Rule of Civil Procedure 41(b) when the plaintiff fails to comply with court orders or fails to prosecute, and Plaintiff's repeated failure to respond to the court's orders warranted dismissal.
2. Dismissal with prejudice was warranted because Plaintiff's intentional failure to comply with court orders, together with the relatively late stage of the case and the significant resources expended by Defendants, justified the drastic sanction.

KEY QUOTATIONS

“At the same time, however, ‘dismissal with prejudice under Rule 41(b) is a drastic sanction which should be exercised sparingly.’” (Discussion)

“The district court’s exercise of this power is within the permissible range of its discretion if there has been a clear record of delay or contumacious conduct by the plaintiff.” (Discussion)

“Plaintiff’s Complaint (ECF No. 1) is DISMISSED WITH PREJUDICE based on Plaintiff’s failure to prosecute this case and his failure to obey the orders of the Court.” (Conclusion)

FACTUAL BACKGROUND

Plaintiff proceeded pro se and in forma pauperis in a § 1983 civil-rights action. After Defendants moved for summary judgment, the court ordered Plaintiff to respond and later ordered him to show cause for failing to respond. Both orders were mailed to Plaintiff and were not returned as undeliverable, but Plaintiff filed no response to either order.

PROCEDURAL HISTORY

Defendants filed a motion for summary judgment on February 2, 2026. The court ordered Plaintiff to respond by February 24, 2026, but he filed no response. The court then ordered Plaintiff to show cause by March 25, 2026, and Plaintiff again failed to respond. The court dismissed the complaint with prejudice under Federal Rule of Civil Procedure 41(b).

DISPOSITION

dismissed

CASES CITED

- Link v. Wabash R.R. Co., 370 U.S. 626, 630-31 (1962)
- Brown v. Frey, 806 F.2d 801, 803-04 (8th Cir. 1986)
- Pardee v. Stock, 712 F.2d 1290, 1292 (8th Cir. 1983)
- Rodgers v. Curators of University of Missouri, 135 F.3d 1216, 1219 (8th Cir. 1998)

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