

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WISCONSIN

Ronnie R. Martin v. Officer Xiong, Officer Alba, Officer Beres, Doe
Defendants, City of Milwaukee, City of St. Francis, ABC Insurance
Company 1, and ABC Insurance Company 2

Martin · No. 24-CV-1664-JPS-JPS · Decided April 23, 2026

SUMMARY

The United States District Court for the Eastern District of Wisconsin dismissed Ronnie R. Martin’s civil-rights case without prejudice for failure to prosecute and failure to cooperate in discovery. The court granted the Milwaukee Defendants’ motion under Federal Rule of Civil Procedure 41(b) and Civil Local Rule 41(c), and directed the Clerk to enter judgment.

CASE DETAILS

COURT	United States District Court for the Eastern District of Wisconsin
WRITING FOR THE COURT	J.P. Stadtmueller
JURISDICTION	United States District Court for the Eastern District of Wisconsin
DECIDED	April 23, 2026
DOCKET	24-CV-1664-JPS-JPS
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendants Officer Alba, Officer Xiong, and the City of Milwaukee moved to dismiss the action for failure to prosecute and failure to cooperate in discovery.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- motions to dismiss
- sanctions
- discovery dispute
- civil procedure

PRACTICE AREAS

- civil procedure
- civil rights

QUESTIONS PRESENTED

1. Whether the court could dismiss the action without prejudice for failure to prosecute under Federal Rule of Civil Procedure 41(b) and Civil Local Rule 41(c).
2. Whether the plaintiff's failure to cooperate in discovery independently supported dismissal as a sanction.

HOLDINGS

1. A district court may dismiss an action without prejudice for failure to prosecute under Federal Rule of Civil Procedure 41(b) and Civil Local Rule 41(c), including where the plaintiff has failed to maintain communication with the court and participate in the litigation.
2. A court may dismiss an action as a sanction when a plaintiff fails to cooperate in discovery.

KEY QUOTATIONS

“A court may also dismiss a case as a sanction against a plaintiff who has not cooperated in discovery.” (at 1)

“Pursuant to Federal Rule of Civil Procedure 41(b) and Civil Local Rule 41(c), the Milwaukee Defendants’ motion will be granted, and this case will be dismissed without prejudice.” (at 1-2)

FACTUAL BACKGROUND

Plaintiff Ronnie R. Martin stopped communicating with the court after updating his mailing address in October 2025. Defendants were unable to reach him through three email addresses or at his updated mailing address, and mail containing the scheduling order was returned as undeliverable. Defendants also unsuccessfully attempted to serve discovery requests on him from January through March 2026. Plaintiff did not timely respond to the motion to dismiss.

PROCEDURAL HISTORY

The case was filed in December 2024. Plaintiff last communicated with the court in October 2025 to update his mailing address, after which defendants' communications and the court's scheduling order were returned or went unanswered. Defendants also unsuccessfully attempted to serve discovery requests. Plaintiff did not timely respond to the motion to dismiss, and the court granted the motion and dismissed the case without prejudice.

DISPOSITION

dismissed

CASES CITED

- Fischer v. Cingular Wireless, LLC, 446 F.3d 663 (7th Cir. 2006)
- Nelson v. Schulz, 878 F.3d 236, 239 (7th Cir. 2017)

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