

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA, FORT WAYNE DIVISION

Manning v. Barnfield

No. 1:23-CV-421-HAB (N.D. Ind. Apr. 15, 2026) · No. 1:23-CV-421-HAB · Decided April 15, 2026

SUMMARY

The United States District Court for the Northern District of Indiana dismissed William L. Manning’s case with prejudice for failure to prosecute. The court found that Manning failed to appear at a settlement conference, did not respond to a show-cause order, and failed to provide an updated address after his release from incarceration.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana, Fort Wayne Division
JURISDICTION	United States District Court for the Northern District of Indiana, Fort Wayne Division
DECIDED	April 15, 2026
DOCKET	1:23-CV-421-HAB
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court dismissed the action with prejudice sua sponte for failure to prosecute after Plaintiff failed to appear at a court-ordered settlement conference and failed to respond to a subsequent show-cause order.
STANDARD OF REVIEW	A district court may dismiss an action for failure to prosecute under its inherent authority, including sua sponte, but dismissal as a harsh sanction requires a clear record of delay or contumacious conduct or a showing that less drastic sanctions are unavailable.
PRECEDENTIAL VALUE	Unreported district court opinion; precedential status not stated

TOPICS

- sanctions
- civil procedure

PRACTICE AREAS

- Civil procedure
- Prisoner civil rights

QUESTIONS PRESENTED

1. Whether the district court could dismiss the action sua sponte for failure to prosecute.
2. Whether the record of failure to appear, failure to respond to the show-cause order, failure to maintain current contact information, and failure to advance the case warranted dismissal with prejudice.

HOLDINGS

1. A district court has inherent authority to dismiss an action for failure to prosecute, including on its own motion.
2. Dismissal with prejudice was warranted because Manning failed to prosecute the case after disregarding court orders, failing to appear at the settlement conference, failing to respond to the show-cause order, and taking no steps to advance the litigation.

KEY QUOTATIONS

“This Court “generally ha[s] broad authority to dismiss a case for failure to prosecute.””

“But because dismissal is such a harsh sanction, such an action is only appropriate “when there is a clear record of delay or contumacious conduct, or when other less drastic sanctions have proven unavailable.””

“The demand that plaintiffs provide contact information is no esoteric rule of civil procedure, but rather the obvious minimal requirement for pursuing a lawsuit.”

“The Court orders that this case be DISMISSED WITH PREJUDICE.”

FACTUAL BACKGROUND

Manning failed to appear either in person or by video at a court-ordered settlement conference. He then failed to respond to an order to show cause warning that noncompliance could result in sanctions up to and including dismissal. Although the show-cause order was not delivered because Manning had been released and had not provided a new address, he had also ignored another court order, failed to update his contact information, and took no steps to prosecute the case for months.

PROCEDURAL HISTORY

The case was referred to a magistrate judge for a settlement conference. Plaintiff failed to appear, was ordered to show cause, and did not respond; mail sent to his former correctional-facility address was returned after his release, and he did not provide updated contact information. The district court dismissed the case with prejudice after noting that discovery had closed, the dispositive-motion deadline had passed, and Plaintiff had taken no further steps to advance the litigation.

DISPOSITION

dismissed

CASES CITED

- Thomas v. Wardell, 951 F.3d 854, 862 (7th Cir. 2020)
- Harrington v. City of Chicago, 433 F.3d 542, 548 (7th Cir. 2006)
- Webber v. Eye Corp., 721 F.2d 1067, 1068 (7th Cir. 1983)
- GCIU Emp. Ret. Fund v. Chi. Trib., 8 F.3d 1195, 1199 (7th Cir. 1993)
- Eleza L. Rodriguez v. Lear Corp., No. 1:24-CV-561-HAB-ALT, 2025 WL 4033400, at *3 n. 2 (N.D. Ind. Oct. 14, 2025)
- Rodriguez v. Lear Corp., No. 1:24-CV-561-HAB-ALT, 2025 WL 3458487 (N.D. Ind. Dec. 2, 2025)

OPINION

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA FORT WAYNE DIVISION WILLIAM L MANNING, Plaintiff, v. CASE NO. 1:23-CV-421-HAB BARNFIELD, Defendant. OPINION AND ORDER Plaintiff William L. Manning (“Manning”), proceeding without a lawyer, has failed to comply with two court orders in this case he is pursuing against Defendant Barnfield.

In October 2025, the Court referred this case to Magistrate Judge Andrew Teel for the sole purpose of conducting a settlement conference. (ECF 40). Magistrate Judge Teel ordered the parties to appear for a settlement conference on January 13, 2026. (ECF 41). Manning, then incarcerated at Westville Correctional Facility, was permitted to appear via video conference.

(Id.). After Manning wrote Magistrate Judge Teel that he might be released by the time of the settlement conference, he was ordered to appear in person if that occurred. (ECF 43, 44). But Manning failed to appear for the settlement conference, either in person or virtually. (ECF 45).

On January 14, 2026, Magistrate Judge Teel ordered Manning to show cause on or before January 28, 2026, why he failed to appear for the settlement conference. (ECF 46). That order warned him that failure to comply could result in sanctions up to and including dismissal of this case. (Id.). More than three months have passed, and Manning has still not responded to that order.

The Court’s mail informing him of the show cause order was returned as undeliverable because he was released from Westville. (ECF 47, 48). Manning never provided the Court a new address. This Court “generally ha[s] broad authority to dismiss a case for failure to prosecute.” Thomas v. Wardell, 951 F.3d 854, 862 (7th Cir. 2020).

The Court’s power to do so is inherent, even if done sua sponte. Harrington v. City of Chicago, 433 F.3d 542, 548 (7th Cir. 2006); Webber v. Eye Corp., 721 F.2d 1067, 1068 (7th Cir. 1983). But because dismissal is such a harsh sanction, such an action is only appropriate “when there is a clear record of delay or contumacious conduct, or when other less drastic sanctions have proven unavailable.” GCIU Emp.

Ret. Fund v. Chi. Trib., 8 F.3d 1195, 1199 (7th Cir.1993). The Court finds that Manning has failed to prosecute his case and dismissal is warranted. Manning knew the date of the settlement

conference and failed to appear. When he was ordered to show cause, he never responded. Manning likely never saw the show cause order because he never provided the Court updated contact information after his release.

The Court understands that this lack of notice may have precluded Manning from complying with the show cause order. But that is also not the Court's problem. "The demand that plaintiffs provide contact information is no esoteric rule of civil procedure, but rather the obvious minimal requirement for pursuing a lawsuit." *Eleza L. Rodriguez, Plaintiff, v. Lear Corp., Defendant.*, No. 1:24-CV-561-HAB-ALT, 2025 WL 4033400, at *3 n. 2 (N.D.

Ind. Oct. 14, 2025) (citation omitted), report and recommendation adopted sub nom. *Rodriguez v. Lear Corp.*, No. 1:24-CV-561-HAB-ALT, 2025 WL 3458487 (N.D. Ind. Dec. 2, 2025). This case has been ongoing for three years. Discovery closed ten months ago and the dispositive motion deadline passed eight months ago. (ECF 38).

In that time, Manning has ignored two court orders, failed to explain his non-compliance, and taken no further steps to advance his case. The Court warned Manning that dismissal might result if he failed to comply with court orders. He has had time to recognize his mistakes, update his contact information, and resume prosecuting his case. Alas, he has not.

The Court orders that this case be DISMISSED WITH PREJUDICE. SO ORDERED on April 15, 2026. s/ Holly A. Brady CHIEF JUDGE HOLLY A. BRADY UNITED STATES DISTRICT COURT