

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
TENNESSEE, NORTHEASTERN DIVISION

Daryl B. Vaughn, a/k/a Brad Vaughn v. Cumberland County Sheriff's
Office, et al.

Vaughn · No. 2:23-cv-00060 · Decided June 9, 2026

SUMMARY

The United States District Court for the Middle District of Tennessee adopts the Magistrate Judge’s recommendation to dismiss Daryl B. Vaughn’s case for failure to prosecute under Federal Rule of Civil Procedure 41(b). The court finds no clear error and dismisses the action without prejudice because Vaughn failed to maintain current contact information and had made no efforts to prosecute the case since July 2024.

CASE DETAILS

COURT	United States District Court for the Middle District of Tennessee, Northeastern Division
WRITING FOR THE COURT	Waverly D. Crenshaw, Jr.
JURISDICTION	United States District Court for the Middle District of Tennessee, Northeastern Division
DECIDED	June 9, 2026
DOCKET	2:23-cv-00060
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed and adopted a magistrate judge's Report and Recommendation recommending dismissal for failure to prosecute under Federal Rule of Civil Procedure 41(b).
STANDARD OF REVIEW	When no timely objection is made to a magistrate judge's report and recommendation, the district court need only determine whether there is clear error on the face of the record. The court nevertheless reviewed the R&R de novo and found no clear error.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Daryl B. Vaughn, a/k/a Brad Vaughn v. Cumberland County Sheriff's Office, et al.

TOPICS

civil procedure

sanctions

section 1983

PRACTICE AREAS

civil procedure

civil rights

prisoner civil rights

QUESTIONS PRESENTED

1. What standard of review applies when a party files no timely objections to a magistrate judge's report and recommendation?
2. Whether the action should be dismissed without prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute.

HOLDINGS

1. When no timely objection is filed to a magistrate judge's report and recommendation, the district court need only satisfy itself that there is no clear error on the face of the record before accepting the recommendation.
2. Dismissal without prejudice under Federal Rule of Civil Procedure 41(b) was warranted because Vaughn failed to prosecute the case and made no efforts to do so since July 2024.

KEY QUOTATIONS

“When there are no “timely objection[s]” to the R&R, “the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”” (at 1)

“This case is DISMISSED WITHOUT PREJUDICE under Federal Rule of Civil Procedure 41(b) for failure to prosecute.” (at 2)

FACTUAL BACKGROUND

The Magistrate Judge recommended dismissal because Vaughn had made no efforts to prosecute the case since July 2024. Vaughn failed to provide the court with current contact information as required by Local Rule 41.01(b), causing the R&R to be returned as undeliverable. Because he did not receive the R&R, he filed no objections by the June 5, 2026 deadline.

PROCEDURAL HISTORY

The Magistrate Judge issued a Report and Recommendation on May 19, 2026, recommending dismissal for failure to prosecute and allowing fourteen days for objections, with three additional days for service by mail. Vaughn did not receive the R&R because he failed to maintain current contact information as required by Local Rule 41.01(b), and the R&R was returned as undeliverable. The district court reviewed the R&R, found no clear error, approved and adopted it, dismissed the action without prejudice, and directed the clerk to close the file.

DISPOSITION

dismissed

CASES CITED

- Ashraf v. Adventist Health Sys./Sunbelt, Inc., 322 F. Supp. 3d 879, 881 (W.D. Tenn. 2018)
- Thomas v. Arn, 474 U.S. 140, 150 (1985)

OPINION

Vaughn

PER CURIAM.

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF TENNESSEE

NORTHEASTERN DIVISION

DARYL B. VAUGHN, a/k/a BRAD)

VAUGHN,)

) Plaintiff,)) No. 2:23-cv-00060 v.))

CUMBERLAND COUNTY SHERIFF'S)

OFFICE, et al.,)) Defendants.)

ORDER

On May 19, 2026, the Magistrate Judge issued a Report and Recommendation (“R&R”) recommending that the Court dismiss this case for failure to prosecute under Federal Rule of Civil Procedure 41(b). (Doc. No. 19). The Magistrate Judge informed the parties that any objections to the R&R must be filed within 14 days of service. (Id. at 3). When service is made by mail, three additional days are added to the prescribed period. Fed. R. Civ. P. 6(d). Daryl Vaughn’s deadline to object was June 5, 2026. However, he did not receive the R&R because he has failed to provide the Court with current contact information, as required under Local Rule 41.01(b). As a result, the R&R was returned to the Clerk as undeliverable. (Doc. No. 20). When there are no “timely objection[s]” to the R&R, “the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72 advisory committee’s note to 1983 amendment (citations omitted); see also Ashraf v. Adventist Health Sys./Sunbelt, Inc., 322 F. Supp. 3d 879, 881 (W.D. Tenn. 2018) (citing Thomas v. Arn, 474 U.S. 140, 150 (1985)) (“The district court is not required to review—under a de novo or any other standard—those aspects of the report and recommendation to which no objection is made.”). Nevertheless, the Court has reviewed the R&R de novo and finds no clear error. Vaughn has made no efforts to prosecute this case since July 2024. Accordingly, the R&R (Doc. No. 19) is APPROVED AND ADOPTED. This case is DISMISSED WITHOUT PREJUDICE under Federal Rule of Civil Procedure 41(b) for failure to prosecute. The clerk shall close the file.

IT IS SO ORDERED. Wh

WAVERL 4 CRENSHAW, J
UNITED STATES DISTRICT JUDGE

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