

**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.

OPINION

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