

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
ALABAMA, EASTERN DIVISION

David Lee Pair, Jr. v. Federal Bureau of Prisons, et al.

No. 1:25-cv-2223-LCB-SGC, United States District Court for the Northern District of Alabama, Eastern
Division (June 1, 2026)

SUMMARY

The United States District Court for the Northern District of Alabama adopted a magistrate judge’s Report and Recommendation and dismissed David Lee Pair, Jr.’s action against the Federal Bureau of Prisons and other defendants without prejudice. The dismissal was based on failure to prosecute under Federal Rule of Civil Procedure 41(b), and the Clerk was directed to close the case.

CASE DETAILS

COURT	United States District Court for the Northern District of Alabama, Eastern Division
WRITING FOR THE COURT	Liles C. Burke
JURISDICTION	United States District Court for the Northern District of Alabama, Eastern Division
DECIDED	June 1, 2026
DOCKET	1:25-cv-2223-LCB-SGC
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending dismissal without prejudice for failure to prosecute. No party objected.
STANDARD OF REVIEW	Clear-error review of the unchallenged portions of a magistrate judge's Report and Recommendation; specifically objected portions would be reviewed de novo.
PRECEDENTIAL VALUE	unknown
PARTIES	David Lee Pair, Jr. v. Federal Bureau of Prisons, et al.

TOPICS

- civil procedure
- prisoners rights
- civil rights

PRACTICE AREAS

civil procedure

prisoner civil rights

QUESTIONS PRESENTED

1. Whether the district court should accept and adopt the unchallenged magistrate judge's Report and Recommendation after reviewing it for clear error.
2. Whether the action should be dismissed without prejudice for failure to prosecute under Federal Rule of Civil Procedure 41(b).

HOLDINGS

1. When no party objects to a portion of a magistrate judge's Report and Recommendation, the district court reviews that portion for clear error.
2. The action should be dismissed without prejudice for failure to prosecute under Federal Rule of Civil Procedure 41(b).

FACTUAL BACKGROUND

The plaintiff brought an action against the Federal Bureau of Prisons and other defendants. The magistrate judge recommended dismissal without prejudice for failure to prosecute, and no party objected to that recommendation.

PROCEDURAL HISTORY

Magistrate Judge Staci G. Cornelius issued a Report and Recommendation under 28 U.S.C. § 636(b)(1), recommending dismissal under Federal Rule of Civil Procedure 41(b). After reviewing the unchallenged recommendation for clear error, the district court accepted and adopted it, dismissed the action without prejudice, and directed the clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Haywood v. Green, 695 F. Supp. 3d 1315, 1318 (N.D. Ala. Sept. 27, 2023)