

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF  
ARKANSAS

Robert Eaton v. S. Friar, Inmate

Eaton v. Friar · No. 6:26-cv-06029 · Decided June 9, 2026

SUMMARY

The United States District Court for the Western District of Arkansas adopted a magistrate judge’s Report and Recommendation and dismissed Robert Eaton’s complaint without prejudice. The dismissal was based on failure to prosecute and failure to comply with court orders requiring submission of a filing fee or an application to proceed in forma pauperis.

CASE DETAILS

|                       |                                                                                                                                                                                                                          |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Western District of Arkansas                                                                                                                                                        |
| WRITING FOR THE COURT | Susan O. Hickey                                                                                                                                                                                                          |
| JURISDICTION          | United States District Court for the Western District of Arkansas                                                                                                                                                        |
| DECIDED               | June 9, 2026                                                                                                                                                                                                             |
| DOCKET                | 6:26-cv-06029                                                                                                                                                                                                            |
| DISPOSITION           | dismissed                                                                                                                                                                                                                |
| PROCEDURAL POSTURE    | The district court reviewed a magistrate judge's Report and Recommendation recommending dismissal of Plaintiff's complaint without prejudice for failure to prosecute and failure to comply with court rules and orders. |
| STANDARD OF REVIEW    | Clear-error review applies to portions of a magistrate judge's Report and Recommendation to which no specific objection is made; timely and specific objections trigger de novo review.                                  |
| PRECEDENTIAL VALUE    | nonprecedential                                                                                                                                                                                                          |
| PARTIES               | Robert Eaton v. S. Friar, Inmate                                                                                                                                                                                         |

TOPICS

- civil procedure
- motions to dismiss
- pleadings

PRACTICE AREAS

- civil procedure
- prisoner civil rights

## QUESTIONS PRESENTED

1. Whether Plaintiff's objections were sufficiently specific to require de novo review of the magistrate judge's Report and Recommendation.
2. Whether the complaint should be dismissed without prejudice for failure to prosecute and failure to comply with court rules and orders.

## HOLDINGS

1. Because Plaintiff's objections were not specific and did not address the filing-fee or IFP deficiencies, the district court reviewed the Report and Recommendation for clear error rather than de novo.
2. The complaint was properly dismissed without prejudice for failure to prosecute and failure to comply with the court's Local Rules and Orders.

## KEY QUOTATIONS

*“Accordingly, the Court finds that Plaintiff’s objections are not specific and will review the Report and Recommendation for clear error.”*

*“Upon review, finding no clear error on the face of the record and that Judge Ford’s reasoning is sound, the Court adopts the Report and Recommendation (ECF No. 10) in toto.”*

## FACTUAL BACKGROUND

Plaintiff filed a complaint but did not submit either the required filing fee or an application to proceed in forma pauperis. Several court orders directed him to correct that deficiency, but he did not comply. His objections and supplement did not specifically explain or cure the failure to pay the fee or submit an IFP application.

## PROCEDURAL HISTORY

Magistrate Judge Mark E. Ford recommended dismissal after Plaintiff failed to pay the filing fee or submit an application to proceed in forma pauperis despite several court orders. Plaintiff objected but did not specifically address the filing-fee or IFP deficiencies. The district court reviewed the Report and Recommendation for clear error, adopted it in full, and dismissed the complaint without prejudice.

## DISPOSITION

dismissed

## CASES CITED

- Thompson v. Nix, 897 F.2d 356, 358-59 (8th Cir. 1990)
- Grinder v. Gammon, 73 F.3d 793, 795 (8th Cir. 1996)

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