

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI, SOUTHEASTERN DIVISION

David Fuller, Jr. v. Unknown Farrow, et al.

Fuller · No. 1:25-cv-171-JSD · Decided March 25, 2026

SUMMARY

The United States District Court for the Eastern District of Missouri dismisses David Fuller, Jr.’s civil rights action without prejudice for failure to comply with an order directing him to file an amended complaint and for failure to prosecute. The court also certifies that an appeal from the dismissal would not be taken in good faith.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri, Southeastern Division
JURISDICTION	United States District Court for the Eastern District of Missouri, Southeastern Division
DECIDED	March 25, 2026
DOCKET	1:25-cv-171-JSD
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought a civil-rights action against multiple police officers. After the court ordered him to file an amended complaint and warned that noncompliance would result in dismissal, he failed to respond or request additional time. The district court dismissed the action without prejudice for failure to comply with the court's order and failure to prosecute.
PRECEDENTIAL VALUE	unpublished

TOPICS

- civil procedure
- civil rights

PRACTICE AREAS

- Civil procedure
- Civil rights

QUESTIONS PRESENTED

1. Whether the district court could dismiss the action without prejudice for Plaintiff's failure to comply with an order directing him to file an amended complaint and for failure to prosecute.

HOLDINGS

1. A district court may dismiss an action without prejudice under Federal Rule of Civil Procedure 41(b) when the plaintiff, after meaningful notice and an adequate opportunity to comply, fails to obey a court order and fails to prosecute the case.

KEY QUOTATIONS

“by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases” (630-31)

FACTUAL BACKGROUND

David Fuller, Jr. filed a civil-rights action alleging violations by multiple police officers. The court ordered him to file an amended complaint, provided meaningful notice of what was required, warned him that failure to comply would result in dismissal, and allowed ample time for compliance. Fuller neither filed the amended complaint nor sought additional time.

PROCEDURAL HISTORY

Plaintiff commenced the action on October 10, 2025. On February 5, 2026, the court directed him to file an amended complaint and expressly warned that failure to comply timely would result in dismissal without further notice. Plaintiff did not respond or seek an extension, so the court dismissed the case without prejudice under Federal Rule of Civil Procedure 41(b).

DISPOSITION

dismissed

CASES CITED

- Link v. Wabash R.R. Co., 370 U.S. 626, 630-31 (1962)
- Brown v. Frey, 806 F.2d 801, 803 (8th Cir. 1986)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION DAVID FULLER, JR.,)) Plaintiff,)) v.) No. 1:25-cv-171-JSD)
UNKNOWN FARROW, et al.,)) Defendants.) MEMORANDUM AND ORDER This matter is
before the Court upon review of the file. Plaintiff David Fuller, Jr. commenced this civil action on
October 10, 2025, alleging violations of his civil rights by multiple police officers.

ECF No. 1. On February 5, 2026, the Court directed Plaintiff to file an amended complaint. ECF
No. 4. The Court cautioned Plaintiff that his failure to timely comply with the Order would result

in the dismissal of the case without further notice. *Id.* To date, Plaintiff has neither responded to the Court's Order, nor sought additional time to do so. Plaintiff was given meaningful notice of what was expected, he was cautioned that his case would be dismissed if he failed to timely comply, and he was given ample time to comply.

The Court will therefore dismiss this action, without prejudice, due to Plaintiff's failure to comply with the Court's February 5, 2026 Order and his failure to prosecute his case. See Fed. R. Civ. P. 41(b); see also *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962) (the authority of a court to dismiss sua sponte for lack of prosecution is inherent power governed "by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases"); *Brown v. Frey*, 806 F.2d 801, 803 (8th Cir.

1986) (a district court has the power to dismiss an action for the plaintiffs failure to comply with any court order). Accordingly, IT IS HEREBY ORDERED that this case is DISMISSED without prejudice. IT IS HEREBY CERTIFIED that an appeal from this dismissal would not be taken in good faith. An Order of Dismissal will accompany this Memorandum and Order. Dated this 25th day of March, 2026.

UNITED STATES DISTRICT JUDGE