

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
GEORGIA, MACON DIVISION

TRAVIS LEROY BALL v. Sheriff DAN KILGORE, et al.

Ball v. Kilgore · No. 5:24-cv-262-CAR-ALS · Decided March 12, 2026

SUMMARY

The United States District Court for the Middle District of Georgia notified the pro se plaintiff that defendants had filed a motion to dismiss. The notice advises that the plaintiff has 21 days to file an opposition and warns that failure to respond may result in the motion being treated as uncontested and judgment being entered without a trial.

CASE DETAILS

COURT	United States District Court for the Middle District of Georgia, Macon Division
WRITING FOR THE COURT	Alfreda L. Sheppard
DECIDED	March 12, 2026
DOCKET	5:24-cv-262-CAR-ALS
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved to dismiss the pro se plaintiff's complaint. The court issued a notice advising the plaintiff of the motion's significance and of his opportunity to respond.
PRECEDENTIAL VALUE	district court procedural notice; no reporter citation

TOPICS

[motions to dismiss](#) [civil procedure](#) [civil rights](#) [prisoners rights](#)

PRACTICE AREAS

[civil procedure](#) [civil rights](#) [prisoner civil rights](#)

QUESTIONS PRESENTED

- Whether a pro se plaintiff must be adequately advised of the significance of a pending motion to dismiss and given an opportunity to respond before the court rules on it.

HOLDINGS

1. The court must adequately advise a pro se plaintiff of the significance of a motion to dismiss and provide an opportunity to respond before deciding the motion.

KEY QUOTATIONS

“FAILURE OF PLAINTIFF TO RESPOND TO AND REBUT THE LEGAL ARGUMENTS SET FORTH IN DEFENDANTS’ BRIEF MAY RESULT IN THESE STATEMENTS BEING ACCEPTED AS UNCONTESTED AND CORRECT.”

FACTUAL BACKGROUND

Travis Leroy Ball filed a complaint against Sheriff Dan Kilgore and other defendants. The defendants filed a motion to dismiss with a supporting brief. The court's order concerns only notice and the opportunity for Ball to respond before the motion is decided.

PROCEDURAL HISTORY

Defendants filed a motion to dismiss and supporting brief on March 11, 2026. Before ruling on the motion, the court notified the pro se plaintiff that he had twenty-one days to file an opposition brief and warned that failure to respond could result in the motion being granted and final judgment being entered.

DISPOSITION

other

CASES CITED

- Griffith v. Wainwright, 772 F.2d 822, 825 (11th Cir. 1985)