

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
GEORGIA

Michelle Wynn Johnson v. Frank Bisignano

Johnson v. Bisignano · No. CV425-184 · Decided December 31, 2025

SUMMARY

The United States District Court for the Southern District of Georgia dismissed Michelle Wynn Johnson’s action seeking judicial review of the Social Security Administration’s denial of Disability Insurance Benefits and Supplemental Security Income. The court dismissed the case under Federal Rule of Civil Procedure 41(b) and the court’s local rule for failure to prosecute after Johnson failed to file her brief by the applicable deadline despite repeated warnings.

CASE DETAILS

COURT	United States District Court for the Southern District of Georgia
WRITING FOR THE COURT	Christopher L. Ray
JURISDICTION	United States District Court for the Southern District of Georgia
DECIDED	December 31, 2025
DOCKET	CV425-184
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff sought judicial review of the Social Security Administration's denial of Disability Insurance Benefits and Supplemental Security Income. After Plaintiff failed to file her brief by the applicable deadline despite repeated warnings and prior noncompliance, the court sua sponte dismissed the action for failure to prosecute.
STANDARD OF REVIEW	Dismissal for failure to prosecute under Federal Rule of Civil Procedure 41(b), the court's inherent docket-management authority, and S.D. Ga. L. Civ. R. 41.1(b).
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential
PARTIES	Michelle Wynn Johnson v. Frank Bisignano

TOPICS

- civil procedure
- administrative law
- judicial review of agency action

PRACTICE AREAS

civil procedure

social security

administrative law

QUESTIONS PRESENTED

1. Whether the action should be dismissed for failure to prosecute after Plaintiff failed to comply with court orders and failed to file the required brief by the applicable deadline.
2. Whether the court had authority to dismiss the action sua sponte under Federal Rule of Civil Procedure 41(b), its inherent docket-management authority, and the applicable local rule.

HOLDINGS

1. The action was properly dismissed because Plaintiff repeatedly failed to comply with the court's instructions and failed to timely prosecute the case by not filing the required brief.
2. Plaintiff's earlier belated compliance with the magistrate-judge assignment order did not prevent a later dismissal after her continued failure to comply with court requirements and prosecute the case.

KEY QUOTATIONS

"The district court possesses the inherent power to police its docket." (at 2)

"dismiss any action for want of prosecution" (at 2)

FACTUAL BACKGROUND

Michelle Wynn Johnson proceeded pro se in an action seeking review of the Social Security Administration's denial of Disability Insurance Benefits and Supplemental Security Income. Despite repeated instructions and warnings, she failed to timely return a magistrate-judge assignment statement and later failed to file the brief required after the Commissioner filed an answer and administrative transcript. More than ten days after the December 18, 2025 briefing deadline, she had filed nothing further.

PROCEDURAL HISTORY

Johnson filed a pro se complaint seeking review under 42 U.S.C. § 405(g). The court directed her to return a magistrate-judge assignment statement, issued a notice and show-cause order after she failed to do so timely, and ultimately declined to dismiss at that stage when she belatedly returned the statement. After the Commissioner filed an answer and the administrative transcript, Johnson failed to file her brief by the December 18, 2025 deadline. The court dismissed the case for failure to prosecute and directed the Clerk to enter judgment and close the case.

DISPOSITION

dismissed

CASES CITED

- Goforth v. Owens, 766 F.2d 1533, 1535 (11th Cir. 1985)

- Link v. Wabash R.R. Co., 370 U.S. 626, 630-31 (1962)
- Mingo v. Sugar Cane Growers Co-op, 864 F.2d 101, 102 (11th Cir. 1989)
- Jones v. Graham, 709 F.2d 1457, 1458 (11th Cir. 1983)

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF GEORGIA SAVANNAH DIVISION MICHELLE WYNN JOHNSON,)) Plaintiff,)) v.) CV425-184) FRANK BISIGNANO,)) Defendant.) ORDER Michelle Wynn Johnson, proceeding pro se, filed a Complaint seeking judicial review of the Social Security Administration's denial of Disability Insurance Benefits (DIB) and Supplemental Security Income (SSI).

See doc. 1. The District Judge issued an Order directing Plaintiff to complete and return a Statement Regarding Assignment of Case to a United States Magistrate Judge. Doc. 8 at 2. After the time for compliance with that direction expired, the Clerk sent Plaintiff a Notice that the form was not returned. Doc. 9.

After fourteen days, the Court entered an Order directing the Plaintiff to show cause why her case should not be dismissed. See doc. 10 at 2-3. Although she did not directly respond to the Order to Show Cause, she did return the Statement Regarding Assignment of Case to a United States Magistrate Judge, doc. 11.

Therefore, based on Johnson's compliance, albeit untimely, with the original Order, the Court determined that dismissal was not justified at that time. Doc. 15 at 2-3 (citing *Goforth v. Owens*, 766 F.2d 1533, 1535 (11th Cir. 1985)).

The Court, at that time, again reminded Plaintiff that she is subject to the governing procedural rules, and that any failure to comply with a Court Order or timely prosecute her case could result in dismissal. See doc. 15 at 3; see also doc. 5 at 2; doc. 10 at 2. She was also reminded, not for the first time, see doc. 5 at 2, that she must familiarize herself with the Federal Rules of Civil Procedure, the Supplemental Rules for Social Security Decisions Under 42 U.S.C. § 405(g), and this Court's Local Rules.

Doc. 15 at 3. Despite these multiple warnings, Plaintiff has yet again failed to act. The Defendant filed an Answer and Transcript of proceedings before the Social Security Administration on November 18, 2025, see docs. 16 & 17, so Plaintiff's brief was due no later than December 18, 2025, see Rule 6, Supplemental Rules for Social Security Actions under 42 U.S.C. § 405(g).

Over 10 days have elapsed since that deadline, and Plaintiff has not filed anything. See generally docket. Her persistent failure to comply with this Court's instructions and to timely prosecute her case justifies dismissal.

As this Court has warned before, doc. 5 at 2; doc. 10 at 2; doc. 15 at 3, it has the authority to prune cases from its docket where parties have failed to prosecute their cases. See Fed. R. Civ. P. 41(b); *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962) (courts have the inherent authority to dismiss claims for lack of prosecution); *Mingo v. Sugar Cane Growers Co-op*, 864 F.2d 101, 102 (11th Cir.

1989) (“The district court possesses the inherent power to police its docket.”); *Jones v. Graham*, 709 F.2d 1457, 1458 (11th Cir. 1983). The Local Rules permit the Court, sua sponte, to “dismiss any action for want of prosecution” where there has been “[w]illful disobedience or neglect of any order of the Court.” S.D. Ga. L. Civ. R. 41.1(b). Other than belatedly complying with the District Judge’s Order to submit the Statement Regarding Assignment of Case to a United States Magistrate Judge, Plaintiff has not filed anything since she first initiated this case in August 2025.

See generally docket. She has been reminded, several times, of the applicable rules. She has, nevertheless, failed to comply with those rules. Her case is, therefore, DISMISSED 3 for her failure to prosecute it. The Clerk is directed to prepare the appropriate judgment and to close this case. SO ORDERED, this 31st day of December, 2025. CHRISTOPHER L. RAY UNITED STATES MAGISTRATE JUDGE SOUTHERN DISTRICT OF GEORGIA