

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

STACIA CROMARTIE,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:16-CV-97-WKW
)	
ALABAMA STATE)	(WO)
UNIVERSITY, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On December 7, 2016, the Magistrate Judge filed a Recommendation (Doc. # 33) that this case be dismissed with prejudice for Plaintiff's failure to comply with court orders, including court orders requiring Plaintiff to file an amended complaint by November 21, 2016.¹ Despite being granted an extension of time to file objections (Doc. # 37), Plaintiff did not file objections to the Recommendation. Instead, on January 4, 2017, the date of the extended deadline to file objections, Plaintiff moved for an extension of time to file her amended complaint until January 9, 2017 (Doc. # 38), which the Magistrate Judge denied. (Doc. # 38.) Nevertheless, on January 10, 2017, Plaintiff filed a motion for permission to file her amended complaint, stating that she was unable to timely file the complaint

¹ The amended complaint was originally due on November 14, 2016 (Doc. # 27), but the Magistrate Judge granted Plaintiff's motion for an extension of that deadline until November 21, 2016. (Doc. # 30.)

because she sought medical care on January 9, 2017. (Doc. # 41.)

Plaintiff's filings subsequent to the Magistrate Judge's Recommendation continue to demonstrate knowing disregard for court orders,² further confirming the Magistrate Judge's finding sanctions short of dismissal with prejudice would be insufficient in this case. Plaintiff has not objected to that finding or to any other portion of the Recommendation, and the court finds no error in the Recommendation. "[E]ven a non-lawyer should realize the peril to her case, when she . . . ignores numerous notices" and fails to comply with court orders. *Anthony v. Marion County Gen. Hosp.*, 617 F.2d 1164, 1169 (5th Cir. 1980); *see also Bonner v. City of Prichard*, 661 F.2d 1206 (11th Cir. 1981, *en banc*) (adopting as binding precedent all of the decisions of the former Fifth Circuit handed down prior to the close of business on September 30, 1981).

Accordingly, it is ORDERED as follows:

1. The Recommendation (Doc. # 33) is ADOPTED.
2. Plaintiff Stacia Cromartie's claims against Defendants Alabama State University, Marion Brock, III, Rick Drake, Charles Smith, Ira Simmons, Gwendolyn Boyd, Evelyn Hodges, Billy J. McCullough, Chris Johns, and Chief Grayboys are DISMISSED with prejudice.

² The court is mindful of Plaintiff's protestations that she suffers from a medical condition. (*See* Doc. # 38.) However, Plaintiff has submitted nothing that would demonstrate that her medical condition justifies filing her amended complaint nearly two months late and in direct disregard for the Magistrate Judge's order denying her a further extension of time to file it.

3. Cromartie's motion for leave to file her amended complaint late (Doc. # 41) is DENIED.

4. There being no other claims or Defendants, this action is DISMISSED with prejudice.

Final judgment will be entered separately.

DONE this 2nd day of March, 2017.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE