

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 24-13122
Non-Argument Calendar

WASEEM DAKER,

Plaintiff-Appellant,

versus

GREGORY DOZIER,

former GDC Commissioner,

HOMER BRYSON,

former GDC Commissioner,

TIMOTHY WARD,

former GDC Assistant Commissioner,

RICK JACOBS,

former GDC Facilities Director,

DEPUTY FACILITIES DIRECTOR, et al.,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Georgia
D.C. Docket No. 6:22-cv-00072-JRH-CLR

Before JORDAN, KIDD, and ANDERSON, Circuit Judges.

PER CURIAM:

Waseem Daker appeals pro se from the district court’s order dismissing his complaint filed pursuant to 42 U.S.C. § 1983 and the Religious Land Use and Institutionalized Persons Act (“RLUIPA”). Daker argues that the district court abused its discretion by dismissing his complaint for failure to comply with the District Court for the Northern District of Georgia’s (“Northern District”) filing injunction (“Order”). Daker makes six arguments as to how the district court abused its discretion: (1) the Order is an impermissible universal or nationwide injunction pursuant to *Trump v. CASA, Inc.*, 606 U.S. 831 (2025), (2) the warning that failure to comply with the Order would result in summary dismissal only applies to the Northern District, (3) Daker’s amended complaint corrected any issues, (4) the district court did not accept Daker’s factual allegations as true, (5) *Perttu v. Richards*, 605 U.S. 460 (2025), required the district court to submit Daker’s court-access claims to a jury, and (6) dismissal with prejudice was impermissible.

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I. DISCUSSION

A. Universal Injunction

Daker argues that the district court abused its discretion by dismissing his complaint for failure to comply with the Order because the Order is an impermissible universal or nationwide injunction pursuant to *Trump v. CASA, Inc.*, 606 U.S. 831 (2025).

We review a district court’s decision to dismiss for failure to comply with a court order for abuse of discretion. *Foudy v. Indian River Cnty. Sheriff’s Off.*, 845 F.3d 1117, 1122 (11th Cir. 2017).

We review questions of constitutional law de novo. *Kentner v. City of Sanibel*, 750 F.3d 1274, 1278 (11th Cir. 2014).

In *CASA*, the Supreme Court held that universal injunctions are beyond the power of the federal courts because the Judiciary Act does not permit them, and federal courts “resolve cases and controversies consistent with the authority Congress has given them.” 606 U.S. at 847, 861. The Supreme Court stated that “[s]uch [universal] injunctions are sometimes called ‘nationwide injunctions,’ reflecting their use by a single district court to bar the enforcement of a law anywhere in the [n]ation.” *Id.* at 837 n.1. However, the Supreme Court further stated that “the term ‘universal’ better captures how these injunctions work,” because “[e]ven a traditional, parties-only injunction can apply beyond the jurisdiction of the issuing court.” *Id.* The Supreme Court stated that “[t]he difference between a traditional injunction and a universal injunc-

tion is not so much *where* it applies, but *whom* it protects: [a] universal injunction prohibits the [g]overnment from enforcing the law against *anyone*, anywhere.” *Id.* (italics in original).

We have stated that “[f]ederal courts have both the inherent power and the constitutional obligation to protect their jurisdiction from conduct which impairs their ability to carry out Article III functions.” *Procup v. Strickland*, 792 F.2d 1069, 1073 (11th Cir. 1986) (en banc). The courts have “a responsibility to prevent single litigants from unnecessarily encroaching on the judicial machinery needed by others.” *Id.* at 1074. One means through which the courts can execute this responsibility is through the “power to enter injunctive relief against such a recalcitrant litigant.” *Id.* We have also stated that “the district courts are authorized by the All Writs Act” to issue injunctions “to restrict access to vexatious and abusive litigants.” *Miller v. Donald*, 541 F.3d 1091, 1096 (11th Cir. 2008).

Here, the district court did not abuse its discretion because the Order is not a universal injunction. The injunction is limited to Daker, who is a party in the litigation, and it does not “prohibit[] the [g]overnment from enforcing the law against anyone, anywhere.” *CASA*, 606 U.S. at 837 n.1 (italics in original). Because the Order is not a universal injunction, it is not barred by the Judiciary Act. *Id.* at 847.

B. Failure to Comply Warning

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On appeal, Daker argues that the district court abused its discretion by dismissing his complaint because the warning that failure to comply with the Order would result in summary dismissal only applies to the Northern District and does not warn him of dismissal in other courts. But this Court held in a recent unpublished opinion that, “contrary to Daker’s assertion, the [Order] clearly stated that it applied outside of the Northern District.” *Daker v. Hays SP Warden (Daker II)*, No. 23 12852, manuscript op. at 6 (11th Cir. Feb. 20, 2026). Therefore, the district court did not abuse its discretion because Daker received warning that failure to comply with the Northern District’s Order would result in dismissal in the district court.

C. Amended Complaint

Daker argues that the district court abused its discretion by dismissing his amended complaint because dismissal was overly harsh, his amended complaint showed that he tried to comply with the Order, he had a right to amend and timely did so pursuant to Federal Rule of Civil Procedure 15(a)(1) (“Rule 15(a)(1)”), and the amended complaint was operative and mooted any issues with the original complaint.

Rule 15(a)(1) states that:

A party may amend its pleading once as a matter of course no later than:

(A) 21 days after serving it, or

(B) if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier.

Daker's amended complaint failed to comply with the Order by omitting a copy of it, the district court reasonably determined that his litigiousness indicated that he did not attempt to comply in good faith, and the district court reasonably determined that allowing belated compliance would overlook abuse. In addition, even if this Court were to address Daker's timeliness argument, he tacitly admits that a reading of the plain language of Rule 15(a)(1) would not allow his amendment, given that he did not file his amended complaint within 21 days after his original complaint, and there has been no response or service of an apt motion. Thus, the district court did not abuse its discretion because Daker's amended complaint failed to comply with the Order.

D. Allegations in the Complaint

Daker argues that the district court abused its discretion by dismissing his amended complaint without accepting his allegations—that prison staff denied him access to stored legal materials and photocopying and destroyed his only copy of the Order—as true because they showed good cause as to why he did not comply with the Order.

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We have held that a district court’s dismissal of a § 1983 and RLUIPA claim for failure to state a claim should view the allegations in the complaint as true. *See Dorman v. Chaplains Off. BSO*, 36 F.4th 1306, 1310 (11th Cir. 2022). However, the district court did not abuse its discretion because it did not dismiss Daker’s complaint for failure to state a claim; rather, it dismissed Daker’s complaint for failure to comply with a court order.

E. Court-Access Claims to a Jury

Daker argues that the district court abused its discretion by dismissing his complaint without submitting his court-access claims to a jury because *Perttu v. Richards*, 605 U.S. 460 (2025), requires such since his claims were intertwined with the merits of whether there was a showing of good cause for failure to comply with the Order. In *Perttu*, the Supreme Court held that inmates “have a right to a jury trial on [Prison Litigation Reform Act] exhaustion when that issue is intertwined with the merits of a claim that falls under the Seventh Amendment” right to a jury trial. 605 U.S. at 468.

Here, the district court did not abuse its discretion because it did not dismiss Daker’s complaint for lack of exhaustion; rather, it dismissed Daker’s complaint for failure to comply with a court order.

F. Dismissal with Prejudice

Daker argues that the district court abused its discretion by dismissing his complaint effectively with prejudice pursuant to Federal Rule of Civil Procedure 41(b) (“Rule 41(b)”) because defendants were unserved and the district court therefore lacked personal jurisdiction over them, neither the magistrate judge nor the district court made the required findings for a dismissal with prejudice, and the Northern District has said that such summary dismissal for noncompliance should be without prejudice.

The dismissal of the case in the district court should have been without prejudice because the defendants were never served. Accordingly, the judgment of the district court dismissing this case with prejudice is VACATED and the case is REMANDED to the district court with instructions to dismiss the case without prejudice.

VACATED AND REMANDED.