

**NOT PRECEDENTIAL**

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 26-1568

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CRYSTAL S. CHAPMAN,  
Appellant

v.

MOTT’S LLP

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On Appeal from the United States District Court  
for the Middle District of Pennsylvania  
(M.D. Pa. Civ. No. 1:23-cv-01498)  
District Judge: Honorable Jennifer P. Wilson

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Submitted Pursuant to Third Circuit LAR 34.1(a)  
September 2, 2026

Before: CHAGARES *Chief Judge*, HARDIMAN and FREEMAN, *Circuit Judges*

(Opinion filed: September 18, 2026)

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OPINION\*

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PER CURIAM

*Pro se* appellant Crystal S. Chapman appeals the District Court’s order dismissing her amended complaint with prejudice for failure to prosecute. We will affirm.

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\* This disposition is not an opinion of the full Court and pursuant to 3d Cir. I.O.P. 5.7 does not constitute binding precedent.

Chapman sued Mott’s LLP (hereinafter “Mott’s”), her former employer, alleging retaliation under the Family and Medical Leave Act (“FMLA”). Mott’s moved to dismiss Chapman’s third amended complaint with prejudice for failure to prosecute, alleging that Chapman abandoned her discovery obligations. The Magistrate Judge issued a report, recommending that Chapman’s claims be dismissed for failure to prosecute upon consideration of the *Poulis* factors.<sup>1</sup> The District Court overruled Chapman’s objections, adopted the Magistrate Judge’s Report and Recommendation, granted the Defendant’s motion, and dismissed Chapman’s third amended complaint with prejudice. Chapman’s timely appeal followed.

We have jurisdiction over this appeal pursuant to 28 U.S.C. § 1291. “We review dismissals for failure to prosecute . . . for abuse of discretion.” *Davis v. Samuels*, 962 F.3d 105, 116 n.13 (3d Cir. 2020). In doing so, “we review the manner in which [the District Court] balanced the [*Poulis* factors].” *In re Asbestos Prods. Liab. Litig. (No. VI)*, 718 F.3d 236, 246 (3d Cir. 2013). “[W]e do not have a magic formula or mechanical calculation to determine whether a District Court abused its discretion in dismissing a plaintiff’s case.” *Briscoe v. Klaus*, 538 F.3d 252, 263 (3d Cir. 2008) (internal quotation marks omitted). “None of the *Poulis* factors is alone dispositive, and it is also true that

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<sup>1</sup> The *Poulis* factors are as follows: “(1) the extent of the party’s personal responsibility; (2) the prejudice to the adversary caused by the failure to meet scheduling orders . . . ; (3) a history of dilatoriness; (4) whether the conduct of the party . . . was willful or in bad faith; (5) the effectiveness of alternative sanctions other than dismissal; and (6) the meritoriousness of the claim or defense.” *Emerson v. Thiel College*, 296 F.3d 184, 190 (3d Cir. 2002) (citing *Poulis v. State Farm Fire & Cas. Co.*, 747 F.2d 863, 868 (3d Cir. 1984)).

not all of the factors need to be satisfied to justify dismissal . . . .” *Hildebrand v. Allegheny Cnty.*, 923 F.3d 128, 132 (3d Cir. 2019).

Here, the District Court concluded that five of the *Poulis* factors weighed against the Appellant and warranted dismissal. But Appellant’s brief does not discuss that analysis, let alone explain why the judgment amounted to an abuse of discretion. *See Kars 4 Kids Inc. v. Am. Can!*, 98 F.4th 436, 452 (3d Cir. 2024) (“[A]rguments not raised in a party’s opening brief are generally deemed forfeited.”)

Because Chapman proceeds *pro se*, out of an abundance of caution, we have examined the thorough analysis provided by the Magistrate Judge and perceive no abuse of discretion. Accordingly, we will affirm the District Court’s judgment.