

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

October 14, 2026

Christopher M. Wolpert
Clerk of Court

CARL E. WATSON, I,

Plaintiff - Appellant,

v.

CHRIS CARR, Attorney General of
Georgia; DEPARTMENT OF REVENUE,
STATE OF GEORGIA; GEORGIA
DRIVER MOTOR VEHICLE,

Defendants - Appellees.

No. 26-3039
(D.C. No. 6:25-CV-01184-EFM-BGS)
(D. Kan.)

ORDER AND JUDGMENT*

Before **HARTZ, MATHESON**, and **ROSSMAN**, Circuit Judges.

Plaintiff Carl E. Watson, I, proceeding pro se, appeals the district court's dismissal of his suit for failure to prosecute by failing to effectuate service on the three Defendants. Exercising jurisdiction under 28 U.S.C. § 1291, we affirm with respect to two Defendants. But we must reverse with respect to the dismissal of his

* After examining the briefs and appellate record, this panel has determined unanimously that oral argument would not materially assist in the determination of this appeal. *See* Fed. R. App. P. 34(f); 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument. This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

claims against Georgia Attorney General Chris Carr because the district judge apparently was misinformed that Watson failed to provide a correct address for Defendant Carr.

In August 2025 Watson filed this action in the United States District Court for the District of Kansas against Defendant Carr. He alleged discrimination and defamation in connection with an allegedly suspended Georgia driver's license that prevented him from receiving a Kansas driver's license. (Watson later amended his complaint to add the Georgia Department of Revenue and the Georgia "Driver Motor Vehicle" as defendants. On appeal, however, he has not challenged the dismissal of those defendants for failure of service.)

In September 2025 the assigned magistrate judge granted Watson leave to rely on the United States Marshals Service (USMS) for service of the summons and complaint. Watson provided the summons, complaint, and postage payment to the USMS, and he listed the address of Defendant Carr as "40 Capitol Square, Atlanta/Fulton, Georgia 30334." September 11, 2025 Filing at 3, *Watson v. Carr*, No. 25-1184-EFM-BGS, ECF No. 5 (D. Kan. Sept. 11, 2025). The USMS sent the summons and complaint to the address provided by Watson by certified mail, but the documents were not delivered. On November 24 the court docketed the unexecuted summons.

On December 1 Watson again requested leave to use the USMS to serve Defendant Carr. That pleading listed the address of the "Attorney General of Georgia, Cris [sic] Carr" as "40 Capitol Square, *SW*, Atlanta, GA 30334." R. at 58

(emphasis added). The listed address is the correct mailing address for the Georgia Attorney General. *See About the Office*, Off. of the Att’y Gen., <https://law.georgia.gov/about-us> [<https://perma.cc/J3QJ-2TFW>] (last visited September 28, 2026); *O’Toole v. Northrop Grumman Corp.*, 499 F.3d 1218, 1225 (10th Cir. 2007) (“It is not uncommon for courts to take judicial notice of factual information found on the world wide web.” (collecting cases)).

On December 2 the magistrate judge again granted Watson leave to rely on the USMS for service and ordered Watson to provide the Clerk’s office with an accurate address for Defendant Carr by December 12. Watson responded on December 8 with what he characterized as a motion for correction and an extension. The pleading asserted that the Attorney General of Georgia had stated “that mail should go to the physical address” that Watson had provided to the court in his December 1 pleading. December 8, 2025 Filing at 4, *Watson v. Carr*, No. 25-1184-EFM-BGS, ECF No. 15 (D. Kan. Dec. 8, 2025). Also, the pleading listed the address of Defendant Carr as 40 Capitol Square, SW, Atlanta, GA 30334.

On December 16 Watson was ordered to show cause why the magistrate judge should not recommend dismissal of his complaint for failure to provide proper addresses for service. The magistrate judge observed that Watson had been ordered “to provide the Clerk’s office with accurate addresses for the Defendants by December 12,” but “the Clerk’s office informed the [magistrate judge] that no addresses were provided.” R. at 67. In response to the show-cause order, Watson

asserted that he had—on multiple occasions—provided the court with the correct mailing address for Defendant Carr.

The magistrate judge recommended dismissal of Watson’s complaint for failure to effectuate service and failure to prosecute. Watson timely objected to the report and recommendation, again asserting that he had provided the correct service address for Defendant Carr.

On March 5, 2026, the district court adopted the magistrate judge’s report and recommendation and dismissed the lawsuit without prejudice. *See Watson v. Carr*, No. 25-1184-EFM, 2026 WL 623151, at *1 (D. Kan. Mar. 5, 2026). On appeal, Watson again asserts that he provided the correct address for Defendant Carr.

Watson’s pleadings were not a model of clarity and discussed matters wholly unrelated to the service of Defendant Carr, including his purported disability, the merits of his claims, and his ongoing medical issues. But we must be more tolerant of pro se litigants than we would be of lawyers. *See Garrett v. Selby Connor Maddux & Janer*, 425 F.3d 836, 840 (10th Cir. 2005). And Watson in fact provided the clerk with an apparently correct address for Defendant Carr, in compliance with the magistrate judge’s order.

We must therefore **REVERSE** the dismissal of his claims against Defendant Carr and **REMAND** to the district court for further proceedings consistent with this order.¹

Entered for the Court

Harris L Hartz
Circuit Judge

¹ Watson's opening brief raises 21 other issues. Our disposition moots them all.