

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

W.J.G.B.,	:	
	:	
Petitioner,	:	
	:	
v.	:	Case No. 4:25-cv-57-CDL-AGH
	:	28 U.S.C. § 2241
TERRENCE DICKERSON,	:	
	:	
Respondent.	:	

RECOMMENDATION OF DISMISSAL

On February 13, 2025, Petitioner filed a *pro se* application for federal habeas corpus relief pursuant to 28 U.S.C. § 2241 (ECF No. 1). Petitioner failed to pay the filing fee, so the Clerk issued a notice of deficiency instructing Petitioner that he must either pay the filing fee or submit a motion to proceed *in forma pauperis* (“IFP”) within twenty-one days. The Clerk’s notice was returned as undeliverable due to Petitioner no longer being at Stewart Detention Center—the facility Petitioner gave as his address when he filed his petition. Mail Returned, ECF No. 3; Pet. 1, ECF No. 1. The time for compliance passed without a response, so Petitioner was ordered to show cause within fourteen days why his petition should not be dismissed for failure to pay the filing fee. Order, Mar. 24, 2025, ECF No. 4. He was again instructed to pay the filing fee or move to proceed IFP. *Id.* The Court warned Petitioner that “[f]ailure to respond will likely result in the dismissal of this action for failure to comply.” *Id.* at 1-2.

On April 14, 2025, the Order to Show Cause was returned to the Court as undeliverable with a notation that Petitioner was not at Stewart Detention Center. *See* Mail Returned, ECF No. 5. The Court has been unable to locate Petitioner through a public records search. Without an address for Petitioner, this case cannot proceed. Further, Petitioner has not paid the required filing fee or filed a motion to proceed IFP or shown cause as to why his petition should not be dismissed. It is therefore recommended that this case be dismissed without prejudice. *See* Fed. R. Civ. P. 41(b) (allowing for involuntary dismissal for a plaintiff's failure to comply with a court order).

Pursuant to 28 U.S.C. § 636(b)(1), Petitioner may serve and file written objections to this Recommendation, or seek an extension of time to file objections, within fourteen (14) days after being served with a copy hereof. Any objection should be no longer than TWENTY (20) PAGES in length. *See* M.D. Ga. L.R. 7.4. The district judge shall make a de novo determination of those portions of the Recommendation to which objection is made. All other portions of the Recommendation may be reviewed for clear error.

Petitioner is notified that, pursuant to Eleventh Circuit Rule 3-1, “[a] party failing to object to a magistrate judge’s findings or recommendations contained in a report and recommendation in accordance with the provisions of 28 U.S.C. § 636(b)(1) waives the right to challenge on appeal the district court’s order based on unobjected-to factual and legal conclusions if the party was informed of the time period for objecting and the consequences on appeal for failing to object. In the absence of a

proper objection, however, the court may review on appeal for plain error if necessary in the interests of justice.”

SO RECOMMENDED, this 22nd day of April, 2025.

s/ Amelia G. Helmick
UNITED STATES MAGISTRATE JUDGE