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

Y.R.G.B.,	:	
	:	
Petitioner,	:	
	:	
v.	:	Case No. 4:25-cv-58-CDL-AGH
	:	28 U.S.C. § 2241
Warden, STEWART DETENTION CENTER, *et al.*,	:	
	:	
	:	
Respondent.	:	

RECOMMENDATION OF DISMISSAL

Pending before the Court is Petitioner's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 (ECF No. 1). Petitioner did not submit the required filing fee with his application or submit a motion for leave to proceed *in forma pauperis* ("IFP"). The Clerk, therefore, notified Petitioner of the need to submit the filing fee or an IFP motion within twenty-one (21) days. Notice of Deficiency, Feb. 13, 2025. Petitioner was also notified that "[f]ailure to comply with this notice may result in dismissal by the court." *Id.* 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. Petitioner did not pay the filing fee or move to proceed IFP.

On March 17, 2025, Petitioner was ordered to show cause within fourteen days why his Petition should not be dismissed for failure to comply. Order 1, ECF No. 4. Therein, Petitioner was warned that "[f]ailure to respond will likely result in the

dismissal of this action for failure to comply." *Id.* at 1-2. The Court received no response, and Petitioner has not paid the required filing fee, filed a motion to proceed IFP, or shown cause as to why his petition should not be dismissed. Further, assuming Petitioner is no longer at Stewart Detention Center facility, the Court has no other address for Petitioner, and without an address, this case cannot proceed. 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 prosecute or 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 hereby 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 23rd day of April, 2025.

s/ *Amelia G. Helmick*
UNITED STATES MAGISTRATE JUDGE