

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

R.K.,	:	
	:	
Petitioner,	:	
	:	
v.	:	Case No. 4:25-cv-163-CDL-CHW
	:	28 U.S.C. § 2241
	:	
PAM BONDI, U.S. Attorney General,	:	
<i>et al.</i> ,	:	
	:	
Respondents. :	:	

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 or motion for leave to proceed *in forma pauperis* (“IFP”) with his application. 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, May 29, 2025. Petitioner was also notified that “[f]ailure to comply with this notice may result in dismissal by the court.” *Id.* That notice was returned to the Court as undeliverable, with the notation that Petitioner was no longer at the Stewart Detention Center. (ECF No. 3). Petitioner did not pay the filing fee or move to proceed IFP.

On August 1, 2025, Petitioner was ordered to show cause within fourteen days why his Petition should not be dismissed for failure to comply. (ECF No. 4). Petitioner was warned that “[f]ailure to respond will likely result in the dismissal of this action for failure to comply.” *Id.* The Court received no response, and that order was also returned with a notation that Petitioner was no longer at the facility. (ECF No. 5).

Because Petitioner has failed to pay a filing fee or move to proceed *in forma pauperis*, has failed to respond to the orders of the Court, and has failed to apprise the Court of any change of address, it is hereby **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).

Although Petitioner has not provided the Court with a notice of change of address or any means to locate him, a search of the U.S. Immigration and Customs Enforcement Online Detainee Locator System indicates that a person of the same name and place of birth is currently detained at the Northwest Detention Center, 1623 E. J Street, Suite 2, Tacoma, WA 98421.¹ It is not clear that this person is the Petitioner, however, as a search by the Petitioner's A-number yields no results. Nevertheless, in an abundance of caution, the Clerk of Court is **DIRECTED** to forward a copy of this recommendation to R.K. at the above address.

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

¹ U.S. Immigration & Customs Enforcement, <https://locator.ice.gov/odls/#/search> (last accessed August 25, 2025).

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 26th day of August, 2025.

s/ Charles H. Weigle
Charles H. Weigle
United States Magistrate Judge