

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
VIRGINIA, ROANOKE DIVISION

Jonathan Stiltner v. Heather Greear, et al.

Stiltner · No. 7:25CV00686 · Decided November 21, 2025

SUMMARY

The United States District Court for the Western District of Virginia dismissed Jonathan Stiltner’s 42 U.S.C. § 1983 action without prejudice for failure to prosecute. The court found that Stiltner failed to comply with an order requiring him to provide a current mailing address after court mail was returned as undeliverable.

CASE DETAILS

COURT	United States District Court for the Western District of Virginia, Roanoke Division
WRITING FOR THE COURT	James P. Jones
JURISDICTION	United States District Court for the Western District of Virginia, Roanoke Division
DECIDED	November 21, 2025
DOCKET	7:25CV00686
DISPOSITION	dismissed
PROCEDURAL POSTURE	The plaintiff filed a pro se civil-rights action under 42 U.S.C. § 1983. After the plaintiff failed to comply with an order requiring him to maintain a current mailing address, the district court dismissed the action without prejudice for failure to prosecute.
PRECEDENTIAL VALUE	Unpublished district-court opinion; precedential status is not stated.

TOPICS

- section 1983
- civil rights
- sanctions
- civil procedure

PRACTICE AREAS

- civil procedure
- civil rights
- prisoner civil rights

QUESTIONS PRESENTED

1. Whether the district court may dismiss a pro se civil-rights action without prejudice for failure to comply with an order requiring the plaintiff to maintain a current mailing address and thereby failure to prosecute.

HOLDINGS

1. A district court may dismiss a pro se action without prejudice for failure to prosecute when the plaintiff fails to comply with a court order requiring him to provide a current mailing address, particularly after mail is returned as undeliverable.

KEY QUOTATIONS

“Therefore, I will dismiss the action without prejudice for failure to prosecute.”

FACTUAL BACKGROUND

Jonathan Stiltner brought a civil-rights action alleging that the defendants had failed to provide adequate medical treatment. The court's mailing of an order to Stiltner was returned as undeliverable, and the court determined that he had failed to provide a current mailing address as required by an earlier order.

PROCEDURAL HISTORY

The court conditionally filed the complaint on September 30, 2025, and ordered Stiltner to notify the court immediately of any transfer or release and provide a new address. The court warned that failure to comply would result in dismissal without prejudice. A subsequent mailing was returned as undeliverable, and the court dismissed the action sua sponte for failure to prosecute.

DISPOSITION

dismissed

CASES CITED

- Ballard v. Carlson, 882 F.2d 93, 96 (4th Cir. 1989)
- Donnelly v. Johns-Manville Sales Corp., 677 F.2d 339, 340-41 (3d Cir. 1982)

OPINION

Stiltner

PER CURIAM.

AT ROANOKE, VA

November 21, 2025 IN THE UNITED STATES DISTRICT COURT _ 1avurAa. Austin, CLERK
FOR THE WESTERN DISTRICT OF VIRGINIA 8 Beeson

ROANOKE DIVISION DEPUTY CLERK

JONATHAN STILTNER,)

Plaintiff, Case No. 7:25CV00686

OPINION

HEATHER GREEAR, et al., JUDGE JAMES P. JONES

Defendants. Jonathan Stiltner, Pro Se Plaintiff: The plaintiff, Jonathan Stiltner, proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983, claiming that the defendants have not provided adequate medical treatment. By Order entered September 30, 2025, the court conditionally filed Stiltner's Complaint and, among other things, directed Stiltner to notify the court in writing immediately upon his transfer or release and provide a new address. Order, Dkt. No. 3. The Order warned him that failure to comply with this requirement would result in dismissal of the action without prejudice. /d. On October 30, 2025, the court's mailing of an Order directing Stiltner to execute an enclosed consent to withholding of fees form was returned as undeliverable to Stiltner at the address he had provided. Mail Returned as Undeliverable, Dkt. No. 6. The returned envelope indicated that authorities were unable to forward the mailing. Id. Based on Stiltner's failure to comply with the court's Order regarding the need to provide the court with a current mailing address that would allow reliable communication about his case, I conclude that he is no longer interested in pursuing this civil action. Therefore, I will dismiss the action without prejudice for failure to prosecute. See *Ballard v. Carlson*, 882 F.2d 93, 96 (4th Cir. 1989) (stating pro se litigants are subject to time requirements and respect for court orders and dismissal is an appropriate sanction for non-compliance); *Donnelly v. Johns-Manville Sales Corp.*, 677 F.2d 339, 340-41 (3d Cir. 1982) (recognizing a district court may sua sponte dismiss an action pursuant to Fed. R. Civ. P. 41(b)). A separate Order will be entered herewith.

DATED: November 21, 2025

/s/ JAMES P. JONES

Senior United States District Judge