

**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.

OPINION

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

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