

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
LOUISIANA, ALEXANDRIA DIVISION

Xiong Zeng v. Judge James D. Cain, Jr., DHS/ICE, and Magistrate
Judge Hornsby

Zeng · No. 26-142-P · Decided March 10, 2026

SUMMARY

This Report and Recommendation addresses Xiong Zeng’s pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging his immigration detention. The magistrate judge recommends dismissal without prejudice for failure to prosecute because an order directing amended pleadings was returned as undeliverable and the petitioner did not provide a correct address.

CASE DETAILS

COURT	United States District Court for the Western District of Louisiana, Alexandria Division
WRITING FOR THE COURT	Mark L. Hornsby
JURISDICTION	United States District Court for the Western District of Louisiana, Alexandria Division
DECIDED	March 10, 2026
DOCKET	26-142-P
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se immigration detainee filed a 28 U.S.C. § 2241 petition challenging his detention. The matter was referred to a magistrate judge, who issued a report and recommendation proposing sua sponte dismissal without prejudice for failure to prosecute.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Xiong Zeng v. Judge James D. Cain, Jr., DHS/ICE, Magistrate Judge Hornsby

TOPICS

- federal habeas corpus
- immigration detention
- civil procedure
- remedies

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the petition should be dismissed without prejudice for failure to prosecute when the petitioner failed to maintain a correct address and did not comply with an order to amend his pleadings.

HOLDINGS

1. The magistrate judge recommended that the § 2241 petition be dismissed without prejudice, sua sponte, because petitioner failed to prosecute the action by not providing a correct address or responding to the order requiring amended pleadings.

KEY QUOTATIONS

“IT IS RECOMMENDED that this petition be DISMISSED WITHOUT PREJUDICE, sua sponte, for failure to prosecute, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure as interpreted by the court and under the court's inherent power to control its own docket.” (at 1)

FACTUAL BACKGROUND

Xiong Zeng, an immigration detainee held at Winn Correctional Center in Louisiana, filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging his detention. The court ordered him to file amended pleadings, but the order was returned by the Postal Service as undeliverable. Zeng did not provide the court with a correct address or otherwise respond.

PROCEDURAL HISTORY

Petitioner filed the habeas petition on January 16, 2026, while detained at Winn Correctional Center. The court ordered him to file amended pleadings within 30 days, but the order was returned as undeliverable because the address or identifying number was incorrect. Petitioner did not provide a corrected address or otherwise communicate with the court, leading the magistrate judge to recommend dismissal without prejudice.

DISPOSITION

dismissed

CASES CITED

- Link v. Wabash Railroad Co., 370 U.S. 626, 82 S. Ct. 1386 (1962)
- Rogers v. Kroger Co., 669 F.2d 317, 320-321 (5th Cir. 1982)
- Douglas v. U.S.A.A., 79 F.3d 1415 (5th Cir. 1996) (en banc)