

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

Annette Crawley v. Mark Roberson, Sheriff

Crawley · No. 25-3274-JWL · Decided March 2, 2026

SUMMARY

The United States District Court for the District of Kansas dismissed Annette Crawley’s 28 U.S.C. § 2241 habeas petition without prejudice under Federal Rule of Civil Procedure 41(b). The dismissal followed Crawley’s failure to respond to an order to show cause or provide a current address after her release from custody; her motion to proceed in forma pauperis was denied as moot.

CASE DETAILS

COURT	United States District Court for the District of Kansas
WRITING FOR THE COURT	John W. Lungstrum
JURISDICTION	United States District Court for the District of Kansas
DECIDED	March 2, 2026
DOCKET	25-3274-JWL
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner brought a petition for habeas corpus under 28 U.S.C. § 2241. The district court dismissed the petition without prejudice under Federal Rule of Civil Procedure 41(b) after petitioner failed to comply with an order to show cause and failed to provide a current address.
PRECEDENTIAL VALUE	unknown
PARTIES	Annette Crawley v. Mark Roberson, Sheriff

TOPICS

- federal habeas corpus
- civil procedure

PRACTICE AREAS

- habeas corpus
- civil procedure

QUESTIONS PRESENTED

1. Whether the district court could dismiss the § 2241 petition without prejudice under Federal Rule of Civil Procedure 41(b) when petitioner failed to comply with the court's order to show cause.

2. Whether petitioner's motion for leave to proceed in forma pauperis should remain pending after dismissal of the action.

HOLDINGS

1. A district court may dismiss an action without prejudice under Rule 41(b) when a petitioner fails to comply with a court order, including sua sponte, and the court dismissed this petition because Crawley failed to comply with the order to show cause by the court's deadline.
2. The motion for leave to proceed in forma pauperis was denied as moot after dismissal of the petition.

KEY QUOTATIONS

“This rule has been interpreted as permitting district courts to dismiss actions sua sponte when one of these conditions is met.”

“In addition, it is well established in this circuit that a district court is not obligated to follow any particular procedures when dismissing an action without prejudice under Rule 41(b).”

FACTUAL BACKGROUND

At the time she filed the petition, Annette Crawley was confined at the Johnson County Adult Detention Center in Olathe, Kansas. She alleged that she was being held on a Clay County, Missouri, detainer despite having no Johnson County charges and that a prior detention on the same detainer had ended after she refused extradition and no Governor's warrant was obtained. After Crawley was released from custody, court mailings to her detention-center address were returned, and she failed to respond to an order directing her to provide a current address and show cause by the court's deadline.

PROCEDURAL HISTORY

Crawley filed a § 2241 habeas petition while confined at the Johnson County Adult Detention Center, alleging detention on a Missouri detainer and refusal of extradition. She also moved to proceed in forma pauperis, but failed to provide required financial information. After the court's notice of deficiency was returned undelivered, Crawley was released from custody. The court then ordered her to provide a current address and show cause why the action should not be dismissed without prejudice; she did not respond, and the order was returned undelivered. The court dismissed the petition under Rule 41(b) and denied the in forma pauperis motion as moot.

DISPOSITION

dismissed

CASES CITED

- Young v. United States, 316 F. App'x 764, 771–72 (10th Cir.)
- Link v. Wabash R.R. Co., 370 U.S. 626, 630–31 (1962)
- Olsen v. Mapes, 333 F.3d 1199, 1204 n.3 (10th Cir.)

OPINION

Crawley

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT FILED

FOR THE DISTRICT OF KANSAS U.S. District Court District of Kansas 03/02/2026 ANNETTE

CRAWLEY, ByESND Deputy Cle Petitioner,

v. CASE NO. 25-3274-JWL

MARK ROBERSON, Sheriff, Respondent.

MEMORANDUM AND ORDER

This matter is a petition for habeas corpus filed under 28 U.S.C. § 2241. At the time of filing, Petitioner was confined at the Johnson County Adult Detention Center in Olathe, Kansas (“JCADC”). Petitioner alleges that she has no charges in Johnson County but is being held on a detainer issued by Clay County, Missouri, and has refused extradition. (Doc. 3, at 1.) Petitioner further alleges that she was previously detained under the same detainer for the same charges, and the case was dismissed when she refused extradition and no Governor’s warrant was obtained. /d. at 2. Petitioner filed a motion for leave to proceed in forma pauperis (Doc. 4) but failed to include the financial information required by D. Kan. Rule 9.1(g)(2)(A). On January 5, 2026, the Court entered a Notice of Deficiency (Doc. 5), ordering Petitioner to supply the missing financial information. The Court’s Notice of Deficiency was mailed to Petitioner at the JCADS—her address of record. The Notice of Deficiency was returned to the Court with a notation indicating that it was unable to be forwarded. Pursuant to the Johnson County Sheriff’s Office, Petitioner was released from custody on January 7, 2026. The Court entered an order to show cause dated January 27, 2026 (“OSC”) (Doc. 7), directing Petitioner to provide her current address and show cause by February 27, 2026, why this matter should not be dismissed without prejudice. Petitioner has not responded to the OSC, and the copy of the OSC mailed to her was returned to the Court. (See Doc. 8.) Rule 41(b) of the Federal Rules of Civil Procedure “authorizes a district court, upon a defendant’s motion, to order the dismissal of an action for failure to prosecute or for failure to comply with the Federal Rules of Civil Procedure or ‘a court order.’” *Young v. United States*, 316 F. App’x 764, 771 (10th Cir. 2009) (citing Fed. R. Civ. P. 41(b)). “This rule has been interpreted as permitting district courts to dismiss actions sua sponte when one of these conditions is met.” *Id.* (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630–31 (1962); *Olsen v. Mapes*, 333 F.3d 1199, 1204 n.3 (10th Cir. 2003)). “In addition, it is well established in this circuit that a district court is not obligated to follow any particular procedures when dismissing an action without prejudice under Rule 41(b).” *Young*, 316 F. App’x at 771–72 (citations omitted). Petitioner has failed to comply with the OSC by the Court’s deadline. Therefore, the Petition is dismissed without prejudice pursuant to Rule 41(b). IT IS THEREFORE ORDERED BY THE COURT that this matter is dismissed without prejudice pursuant to Fed. R. Civ. P. 41(b). IT IS FURTHER ORDERED that Petitioner’s motion for leave to proceed in forma pauperis (Doc. 4) is denied as

moot. IT IS SO ORDERED. Dated March 2, 2026, in Kansas City, Kansas. S/ John W. Lungstrum
JOHN W. LUNGSTRUM
UNITED STATES DISTRICT JUDGE

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