

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TEXAS

Arthur Wilson McDaniels v. United States

McDaniels · No. 1:25-CV-234 · Decided December 5, 2025

SUMMARY

The United States District Court for the Eastern District of Texas adopted the magistrate judge’s report and recommendation and dismissed Arthur Wilson McDaniels’s 28 U.S.C. § 2255 motion for want of prosecution. The dismissal was without prejudice to reinstatement upon provision of a current address within 60 days, and the court denied a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the Eastern District of Texas
WRITING FOR THE COURT	Marcia A. Crone
JURISDICTION	United States District Court for the Eastern District of Texas
DECIDED	December 5, 2025
DOCKET	1:25-CV-234
DISPOSITION	dismissed
PROCEDURAL POSTURE	Movant filed a pro se motion under 28 U.S.C. § 2255 to vacate, set aside, or correct his sentence. The matter was referred to a magistrate judge, who recommended dismissal for want of prosecution. The district court adopted the recommendation and dismissed the action without prejudice.
STANDARD OF REVIEW	The district court reviewed the magistrate judge's report and recommendation and found its factual findings and legal conclusions correct. For a certificate of appealability following a procedural ruling, the movant must show that reasonable jurists would debate both whether the motion states a valid constitutional claim and whether the procedural ruling is correct.
PRECEDENTIAL VALUE	Unknown; district court order with no reported citation
PARTIES	Arthur Wilson McDaniels v. United States of America

TOPICS

federal habeas corpus

post-conviction relief

motions to dismiss

appellate procedure

standard of review

PRACTICE AREAS

Federal habeas corpus

Post-conviction relief

Appellate procedure

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's recommendation to dismiss the § 2255 action for want of prosecution.
2. Whether McDaniels was entitled to a certificate of appealability after the procedural dismissal.

HOLDINGS

1. The magistrate judge's report and recommendation was adopted, and the action was dismissed for want of prosecution without prejudice.
2. A certificate of appealability was denied because McDaniels failed to make the required substantial showing of the denial of a federal constitutional right or show that reasonable jurists could debate the procedural ruling.

FACTUAL BACKGROUND

Arthur Wilson McDaniels, a federal inmate proceeding pro se, filed a motion under 28 U.S.C. § 2255. The magistrate judge recommended dismissal for want of prosecution, and McDaniels did not provide objections or a current address. The district court adopted the recommendation and permitted reinstatement if McDaniels supplied a current address within sixty days.

PROCEDURAL HISTORY

The district court referred McDaniels's § 2255 motion to United States Magistrate Judge Christine L. Stetson. The magistrate judge recommended dismissal for want of prosecution, and the parties filed no objections. District Judge Marcia A. Crone adopted the report and recommendation, ordered dismissal without prejudice, allowed reinstatement if McDaniels provided a current address within sixty days, and denied a certificate of appealability.

DISPOSITION

dismissed

CASES CITED

- Slack v. McDaniel, 529 U.S. 473, 483-84 (2000)
- Elizalde v. Dretke, 362 F.3d 323, 328 (5th Cir. 2004)
- Barefoot v. Estelle, 463 U.S. 880, 893 (1982)
- Avila v. Quarterman, 560 F.3d 299, 304 (5th Cir. 2009)

- Miller v. Johnson, 200 F.3d 274, 280-81 (5th Cir. 2000)

OPINION

McDaniels

PER CURIAM.

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TEXAS

ARTHUR WILSON MCDANIELS, §

§ Movant, § § versus § CIVIL ACTION NO. 1:25-CV-234 §

UNITED STATES OF AMERICA, §

§ Respondent. §

ORDER ADOPTING THE MAGISTRATE

JUDGE'S REPORT AND RECOMMENDATION

Movant Arthur Wilson McDaniels, an inmate at the Federal Correctional Institution located in Beaumont, Texas, proceeding pro se, brought this Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255. The court referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, for consideration pursuant to the applicable laws and orders of this court. The magistrate judge recommends dismissing the action for want of prosecution. To date, the parties have not filed objections to the Report and Recommendation. The court received and considered the Report and Recommendation of United States Magistrate Judge pursuant to such referral, along with the record, pleadings and all available evidence. After careful review, the court finds that the findings of facts and conclusion of law of the United States Magistrate Judge are correct. Accordingly, the Report and Recommendation of the United States Magistrate Judge (#9) is ADOPTED. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation. The dismissal of this action is without prejudice to Movant's ability to reinstate the action by providing the court with a current address at which he may be contacted within sixty days from the date set forth below. Furthermore, Movant is not entitled to the issuance of a certificate of appealability. An appeal from a judgment denying federal habeas corpus relief may not proceed unless a judge issues a certificate of appealability. See 28 U.S.C. § 2253; FED. R. APP. P. 22(b). The standard for granting a certificate of appealability, like that for granting a certificate of probable cause to appeal under prior law, requires the movant to make a substantial showing of the denial of a federal constitutional right. See *Slack v. McDaniel*, 529 U.S. 473, 483-84 (2000); *Elizalde v. Dretke*, 362 F.3d 323, 328 (5th Cir. 2004); see also *Barefoot v. Estelle*, 463 U.S. 880, 893 (1982). In making that substantial showing, the movant need not establish that he should prevail on the merits. Rather, he must demonstrate that the issues are subject to debate among jurists of reason, that a court could resolve the issues in a different manner, or that the questions presented are worthy of encouragement to proceed further. See *Slack*, 529 U.S. at 483-84; *Avila v. Quarterman*, 560 F.3d 299, 304 (5th Cir. 2009). If the motion was denied on procedural grounds, the movant must show that jurists of reason would find it debatable: (1)

whether the motion raises a valid claim of the denial of a constitutional right, and (2) whether the district court was correct in its procedural ruling. *Slack*, 529 U.S. at 484; *Elizalde*, 362 F.3d at 328. Any doubt regarding whether to grant a certificate of appealability is resolved in favor of the movant, and the severity of the penalty may be considered in making this determination. See *Miller v. Johnson*, 200 F.3d 274, 280-81 (5th Cir. 2000). Movant has not shown that any of the issues raised by his claims are subject to debate among jurists of reason, or that a procedural ruling is incorrect. In addition, the questions 2 presented by Movant are not worthy of encouragement to proceed further. Movant has failed to make a sufficient showing to merit the issuance of a certification of appealability. Thus, a certificate of appealability will not be issued. SIGNED at Beaumont, Texas, this 5th day of December, 2025.

MARCIA A. CRONE

UNITED STATES DISTRICT JUDGE