

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
GEORGIA, MACON DIVISION

Luis Alberto Morales v. Warden Teketa Jester, et al.

Morales v. Jester · No. 5:25-cv-00457-MTT-ALS · Decided February 18, 2026

SUMMARY

The United States District Court for the Middle District of Georgia dismissed Luis Alberto Morales’s pro se action without prejudice for failure to comply with court orders and failure to prosecute. The court denied his pending motions as moot and relied on Federal Rule of Civil Procedure 41(b) and Eleventh Circuit precedent concerning sua sponte dismissal.

CASE DETAILS

COURT	United States District Court for the Middle District of Georgia, Macon Division
WRITING FOR THE COURT	Marc T. Treadwell
JURISDICTION	United States District Court for the Middle District of Georgia, Macon Division
DECIDED	February 18, 2026
DOCKET	5:25-cv-00457-MTT-ALS
DISPOSITION	dismissed
PROCEDURAL POSTURE	A pro se prisoner filed a complaint under 42 U.S.C. § 1983 challenging his state-court sentence and seeking release from prison. After the court ordered him to recast the pleading as either a § 1983 civil-rights complaint or a federal habeas petition, and after he failed to comply despite additional notice and an extension, the district court dismissed the action without prejudice.
PRECEDENTIAL VALUE	unpublished
PARTIES	Luis Alberto Morales v. Warden Teketa Jester, et al.

TOPICS

- civil procedure
- section 1983
- federal habeas corpus
- pleadings

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the action should be dismissed without prejudice under Federal Rule of Civil Procedure 41(b) for failure to obey court orders and failure to prosecute.
2. Whether the plaintiff's pending motions should be denied as moot following dismissal of the action.

HOLDINGS

1. A district court may dismiss an action sua sponte under Federal Rule of Civil Procedure 41(b) when a plaintiff fails to prosecute the action or fails to obey a court order; because Morales repeatedly failed to file the required recast complaint after receiving notice and an extension, dismissal without prejudice was warranted.
2. The plaintiff's motion to proceed in forma pauperis and motion to dismiss without prejudice or proceed as the court deemed proper were denied as moot because the civil action had been dismissed.

KEY QUOTATIONS

"The court may dismiss an action sua sponte under Rule 41(b) for failure to prosecute or failure to obey a court order." (2)

FACTUAL BACKGROUND

Luis Alberto Morales, a prisoner at Riverbend Correctional Facility, filed a form complaint under 42 U.S.C. § 1983 challenging his state-court sentence and seeking release from prison. The court found it unclear whether he intended to pursue civil-rights relief or federal habeas relief and ordered him to file a properly recast pleading. Despite notice that noncompliance could result in dismissal, a show-cause order, and an extension of time, Morales did not file the required recast complaint.

PROCEDURAL HISTORY

The magistrate judge initially determined that the pleading was unclear as to whether Morales intended to pursue a § 1983 action or federal habeas relief and ordered him to recast it using the appropriate form. Morales did not timely respond, was ordered to show cause, and then obtained a fourteen-day extension. He still failed to file a recast complaint, so the district court dismissed for failure to obey court orders and failure to prosecute. The court denied his motions to proceed in forma pauperis and to dismiss without prejudice or proceed as appropriate as moot.

DISPOSITION

dismissed

CASES CITED

- Brown v. Tallahassee Police Dep't, 205 F. App'x 802, 802 (11th Cir. 2006)

- *Lopez v. Aransas Cnty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)
- *Duong Thanh Ho v. Costello*, 757 F. App'x 912 (11th Cir. 2018)

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