

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TEXAS, BEAUMONT DIVISION

Jerquan Drake v. Bureau of Prisons, et al.

Drake · No. 1:25-CV-185 · Decided December 22, 2025

SUMMARY

The United States District Court for the Eastern District of Texas adopted a magistrate judge’s report and recommendation in Jerquan Drake’s pro se Bivens civil rights action. The court dismissed the action without prejudice for want of prosecution under Federal Rule of Civil Procedure 41(b).

CASE DETAILS

COURT	United States District Court for the Eastern District of Texas, Beaumont Division
WRITING FOR THE COURT	Michael J. Truncale
JURISDICTION	United States District Court for the Eastern District of Texas, Beaumont Division
DECIDED	December 22, 2025
DOCKET	1:25-CV-185
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed and adopted the magistrate judge's Report and Recommendation recommending dismissal of the prisoner's Bivens civil-rights action without prejudice for failure to prosecute.
STANDARD OF REVIEW	The district court reviewed the magistrate judge's Report and Recommendation and found its findings of fact and conclusions of law correct; no party filed objections.
PRECEDENTIAL VALUE	Unknown
PARTIES	Jerquan Drake v. Bureau of Prisons, et al.

TOPICS

- civil rights
- prisoners rights
- civil procedure

PRACTICE AREAS

- civil rights
- prisoner litigation
- civil procedure

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's recommendation and dismiss the Bivens action without prejudice for want of prosecution under Federal Rule of Civil Procedure 41(b).

HOLDINGS

1. The court adopted the magistrate judge's Report and Recommendation and dismissed the action without prejudice for want of prosecution under Federal Rule of Civil Procedure 41(b).

FACTUAL BACKGROUND

Jerquan Drake, previously confined at the Federal Correctional Institution in Beaumont, Texas, filed a civil-rights action under Bivens. The record supported dismissal because of want of prosecution, and proper notice was provided to Drake at his last known address.

PROCEDURAL HISTORY

Jerquan Drake, a prisoner proceeding pro se, filed a Bivens action in the Eastern District of Texas. The matter was referred to Magistrate Judge Christine L. Stetson, who recommended dismissal without prejudice for want of prosecution under Federal Rule of Civil Procedure 41(b). The district court found the recommendation correct, adopted it, and directed entry of final judgment.

DISPOSITION

dismissed

CASES CITED

- Bivens v. Six Unknown Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION JERQUAN DRAKE § VS. § CIVIL ACTION NO. 1:25-CV-185
BUREAU OF PRISONS, ET AL. § ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION Plaintiff Jerquan Drake, a prisoner previously confined at the Federal Correctional Institution in Beaumont, Texas, proceeding pro se, filed this civil rights action pursuant to Bivens v. Six Unknown Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971).

The Court referred this matter to United States Magistrate Judge Christine L. Stetson for consideration pursuant to applicable laws and orders of this Court. The magistrate judge recommends dismissing the action without prejudice for want of prosecution pursuant to Federal Rule of Civil Procedure 41(b).

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and the pleadings. Proper notice was given to Plaintiff at his last known address. See FED. R. CIV. P. 5(b)(2)(C). No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

ORDER Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the Report and Recommendation of the magistrate judge [Dkt. 14] is ADOPTED. A final judgment will be entered in accordance with this Order. SIGNED this 22nd day of December, 2025. Michael J. Truncale United States District Judge