

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
GEORGIA, BRUNSWICK DIVISION

Gregory K. Jones v. Warden, Jesup Federal Prison Camp

Jones · No. 2:25-cv-131 · Decided February 12, 2026

SUMMARY

A magistrate judge recommends granting the respondent’s motion to dismiss as unopposed and dismissing Gregory K. Jones’s 28 U.S.C. § 2241 petition without prejudice. The recommendation is based on Jones’s failure to respond to the motion to dismiss and to comply with the court’s show-cause order. It also recommends closing the case and denying leave to appeal in forma pauperis.

CASE DETAILS

COURT	United States District Court for the Southern District of Georgia, Brunswick Division
WRITING FOR THE COURT	United States Magistrate Judge (name not legible in source)
JURISDICTION	United States District Court for the Southern District of Georgia, Brunswick Division
DECIDED	February 12, 2026
DOCKET	2:25-cv-131
DISPOSITION	other
PROCEDURAL POSTURE	Report and recommendation on Respondent's unopposed motion to dismiss a 28 U.S.C. § 2241 habeas petition.
STANDARD OF REVIEW	A dismissal without prejudice for failure to prosecute or failure to comply with court orders is committed to the district court's discretion, subject to the court's authority under Federal Rule of Civil Procedure 41(b), its inherent docket-management authority, and applicable local rules. The magistrate judge also stated that an appeal is taken in good faith only when it presents a nonfrivolous issue, judged under an objective standard.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Gregory K. Jones v. Warden, Jesup Federal Prison Camp

TOPICS

federal habeas corpus

motions to dismiss

sanctions

appellate procedure

standard of review

PRACTICE AREAS

Federal habeas corpus

Civil procedure

Appellate procedure

QUESTIONS PRESENTED

1. Whether Jones's § 2241 petition should be dismissed without prejudice because he failed to respond to Respondent's motion to dismiss and failed to comply with the court's show-cause order.
2. Whether Jones should be denied leave to appeal in forma pauperis because any appeal would not be taken in good faith.

HOLDINGS

1. A district court may dismiss an action without prejudice under Federal Rule of Civil Procedure 41(b), its inherent authority to manage its docket, and applicable local rules when a petitioner fails to prosecute, fails to respond to a motion, or fails to follow a court order after being given notice of the consequences. The magistrate judge recommended applying that authority to dismiss Jones's petition without prejudice.
2. A trial court may deny leave to appeal in forma pauperis when it certifies that the appeal is not taken in good faith because it presents no nonfrivolous issue. The magistrate judge recommended denying Jones leave to appeal in forma pauperis.

KEY QUOTATIONS

“A district court's “power to dismiss is an inherent aspect of its authority to enforce its orders and ensure prompt disposition of lawsuits.””

“It is true dismissal with prejudice for failure to prosecute is a “sanction . . . to be utilized only in extreme situations””

“By contrast, dismissal without prejudice for failure to prosecute is not an adjudication on the merits and, therefore, courts are afforded greater discretion in dismissing claims in this manner.”

“A party does not proceed in good faith when he seeks to advance a frivolous claim or argument.”

FACTUAL BACKGROUND

On October 21, 2025, Gregory K. Jones filed a § 2241 petition alleging that the Bureau of Prisons had not awarded him earned time credits under the First Step Act. Respondent moved to dismiss, asserting that Jones failed to state a habeas claim, that his claims were unripe, that he lacked a liberty interest in the credits, and that the court lacked jurisdiction or authority to determine his place of confinement. Jones did not respond to the motion or to a subsequent show-cause order warning him of the consequences of failing to respond.

PROCEDURAL HISTORY

Jones filed a § 2241 petition alleging that the Bureau of Prisons failed to award him earned First Step Act time credits. After the petition was served, Respondent moved to dismiss. Jones failed to respond within the applicable period, and the magistrate judge issued a show-cause order warning that noncompliance could result in dismissal. Jones did not respond, so the magistrate judge recommended dismissal without prejudice for failure to follow court orders, closure of the case, and denial of leave to appeal in forma pauperis.

DISPOSITION

other

CASES CITED

- Link v. Wabash R.R. Co., 370 U.S. 626 (1962)
- Coleman v. St. Lucie Cnty. Jail, 433 F. App'x 716 (11th Cir. 2011)
- Betty K Agencies, Ltd. v. M/V MONADA, 432 F.3d 1333 (11th Cir. 2005)
- Sanders v. Barrett, No. 05-12660, 2005 WL 2640979 (11th Cir. Oct. 17, 2005)
- Kilgo v. Ricks, 983 F.2d 189 (11th Cir. 1993)
- Brown v. Tallahassee Police Dep't, 205 F. App'x 802 (11th Cir. 2006)
- Jones v. Graham, 709 F.2d 1457 (11th Cir. 1983)
- Thomas v. Montgomery Cnty. Bd. of Educ., 170 F. App'x 623 (11th Cir. 2006)
- Morewitz v. West of Eng. Ship Owners Mut. Prot. & Indem. Ass'n (Lux.), 62 F.3d 1356 (11th Cir. 1995)
- Taylor v. Spaziano, 251 F. App'x 616 (11th Cir. 2007)
- Busch v. County of Volusia, 189 F.R.D. 687 (M.D. Fla. 1999)
- Coppedge v. United States, 369 U.S. 438 (1962)
- Neitzke v. Williams, 490 U.S. 319 (1989)
- Carroll v. Gross, 984 F.2d 392 (11th Cir. 1993)
- Moore v. Bargstedt, 203 F. App'x 321 (11th Cir. 2006)
- Bilal v. Driver, 251 F.3d 1346 (11th Cir. 2001)
- Harrigan v. Metro Dade Police Dep't Station #4, 977 F.3d 1185 (11th Cir. 2020)