

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
LOUISIANA, MONROE DIVISION

Rogerio Batista Mendes v. Judge Terry A. Doughty, Warden

Mendes v. Doughty · No. Civil Action No. 25-1639; 3:25-cv-01639 · Decided January 5, 2026

SUMMARY

A United States magistrate judge recommends dismissing without prejudice Rogerio Batista Mendes’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. The recommendation is based on Mendes’s failure to comply with an order directing him to amend his petition and provide additional information.

CASE DETAILS

COURT	United States District Court for the Western District of Louisiana, Monroe Division
WRITING FOR THE COURT	Kayla D. McGlusky
JURISDICTION	United States District Court for the Western District of Louisiana, Monroe Division
DECIDED	January 5, 2026
DOCKET	Civil Action No. 25-1639; 3:25-cv-01639
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241. After the magistrate judge ordered him to amend his petition and provide specific information, he failed to comply. The magistrate judge issued a report and recommendation that the petition be dismissed without prejudice for failure to comply with the court's order.
STANDARD OF REVIEW	A district court may dismiss an action sua sponte for failure to prosecute or failure to comply with a court order under Federal Rule of Civil Procedure 41(b) and the court's inherent authority. Objections to the report and recommendation are reviewed under the procedures stated in 28 U.S.C. § 636(b)(1)(C) and Rule 72(b), with plain-error limitation for unobjected-to findings or conclusions.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Rogerio Batista Mendes v. Judge Terry A. Doughty, Warden

TOPICS

federal habeas corpus

immigration detention

sanctions

civil procedure

PRACTICE AREAS

Federal habeas corpus

Immigration detention

Civil procedure

QUESTIONS PRESENTED

1. Whether the petition should be dismissed without prejudice because the petitioner failed to comply with the magistrate judge's order to amend the petition and provide specific information.

HOLDINGS

1. The court recommended that Mendes's § 2241 petition be dismissed without prejudice because he failed to comply with the November 3, 2025 order requiring him to amend the petition and provide specific information.

KEY QUOTATIONS

“The power to invoke this sanction is necessary to prevent undue delays in the disposition of pending cases and to avoid congestion in the calendars of the [d]istrict [c]ourts.”

FACTUAL BACKGROUND

Rogério Batista Mendes was detained at Jackson Parish Correctional Center in the custody of the Department of Homeland Security and Immigration and Customs Enforcement. He filed a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241. After the magistrate judge ordered him to amend the petition and provide specific information, and warned that noncompliance could result in dismissal, Mendes failed to file an amended petition by the deadline.

PROCEDURAL HISTORY

Mendes filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 while detained at Jackson Parish Correctional Center. On November 3, 2025, the magistrate judge ordered him to amend the petition and warned that failure to comply could result in dismissal. Mendes did not file an amended petition by the deadline, leading to this report and recommendation for dismissal without prejudice.

DISPOSITION

other

CASES CITED

- Link v. Wabash R.R. Co., 370 U.S. 626, 630-31 (1962)
- Douglass v. United Services Automobile Association, 79 F.3d 1415 (5th Cir. 1996)

OPINION

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF LOUISIANA MONROE DIVISION ROGERIO BATISTA MENDES CIVIL ACTION NO. 25-1639 SECTION P VS. JUDGE TERRY A. DOUGHTY WARDEN MAG. JUDGE KAYLA D. MCCLUSKY REPORT AND RECOMMENDATION Petitioner Rogerio Batista Mendes,¹ a detainee at Jackson Parish Correctional Center in the custody of the Department of Homeland Security and the Bureau of Immigration and Customs Enforcement who proceeds pro se, petitions the Court for a writ of habeas corpus under 28 U.S.C. § 2241.

On November 3, 2025, the undersigned ordered Petitioner to amend his petition and provide specific information. [doc. # 2]. The undersigned cautioned that the Court may dismiss Petitioner's petition if he failed to comply. Id. at 2.

To date, Petitioner has not filed an amended petition. A district court may dismiss an action based on a plaintiff's failure to prosecute or comply with a court order. FED. R. CIV. P. 41(b). A court possesses the inherent authority to dismiss the action sua sponte on this basis. *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962). "The power to invoke this sanction is necessary to prevent undue delays in the 1 Petitioner's "A-Number" is 240336226. disposition of pending cases and to avoid congestion in the calendars of the [d]istrict [c]ourts." Td.

Here, Petitioner has failed to comply with the Court's November 3, 2025 Order by the deadline. Accordingly, IT IS RECOMMENDED that Petitioner Rogerio Batista Mendes's petition be DISMISSED WITHOUT PREJUDICE. Under the provisions of 28 U.S.C. § 636(b)(1)(C) and Rule 72(b), parties aggrieved by this recommendation have fourteen (14) days from service of this Report and Recommendation to file specific, written objections with the Clerk of Court.

A party may respond to another party's objections within fourteen (14) days after being served with a copy of any objections or response to the district judge at the time of filing. Failure to file written objections to the proposed factual findings and/or the proposed legal conclusions reflected in this Report and Recommendation within fourteen (14) days following the date of its service, or within the time frame authorized by Fed.

R. Civ. P. 6(b), shall bar an aggrieved party from attacking either the factual findings or the legal conclusions accepted by the District Court, except upon grounds of plain error. See *Douglass v. United Services Automobile Association*, 79 F.3d 1415 (Sth Cir. 1996).

In Chambers, Monroe, Louisiana, this 5th day of January, 2026. Kayla Dye McGlusky United States Magistrate Judge