

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

Rogério 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

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 Rogério 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 Rogério 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

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