

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

Evelyn Vasquez Vega v. Judge James D. Cain, Jr., Pamela Bondi, et
al.

Vega · No. 26-301-P · Decided April 1, 2026

SUMMARY

A magistrate judge recommends sua sponte dismissal without prejudice of an immigration detainee’s 28 U.S.C. § 2241 habeas petition for failure to prosecute after court orders were returned as undeliverable and the petitioner failed to provide a new address. The recommendation cites Federal Rule of Civil Procedure 41(b), the court’s inherent docket-control authority, and applicable objection procedures under 28 U.S.C. § 636(b)(1)(C) and Rule 72(b).

CASE DETAILS

COURT	United States District Court for the Western District of Louisiana, Monroe Division
WRITING FOR THE COURT	Mark L. Hornsby
JURISDICTION	United States District Court for the Western District of Louisiana, Monroe Division
DECIDED	April 1, 2026
DOCKET	26-301-P
DISPOSITION	other
PROCEDURAL POSTURE	Report and recommendation on a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging continued immigration detention.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Evelyn Vasquez Vega v. Judge James D. Cain, Jr., Pamela Bondi, et al.

TOPICS

federal habeas corpus

immigration detention

civil procedure

PRACTICE AREAS

Federal habeas corpus

Immigration detention

Civil procedure

QUESTIONS PRESENTED

1. Whether the petition should be dismissed without prejudice for failure to prosecute after the petitioner failed to maintain a current mailing address and court mail was returned as undeliverable.

HOLDINGS

1. The magistrate judge recommended that the § 2241 petition be dismissed without prejudice, sua sponte, for failure to prosecute because Vega failed to notify the court of her changed address after court orders were returned as undeliverable.

KEY QUOTATIONS

“All parties have the responsibility of promptly reporting to the court and to all other parties any change in the mailing address. Failure to do so shall be considered cause for dismissal for failure to prosecute.” (at 1)

“Accordingly; IT IS RECOMMENDED that this petition be DISMISSED WITHOUT PREJUDICE, sua sponte, for failure to prosecute, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure as interpreted by the court and under the court's inherent power to control its own docket.” (at 1)

FACTUAL BACKGROUND

Vega, an immigration detainee, filed a pro se § 2241 petition challenging her continued detention. After the case was transferred to the Western District of Louisiana, two court orders mailed to her were returned marked "RETURN TO SENDER -NO LONGER AT THIS FACILITY." Vega had not informed the court of a new mailing address.

PROCEDURAL HISTORY

The petition was originally filed in the United States District Court for the Southern District of Texas and was transferred to the Western District of Louisiana on February 3, 2026 because Vega was detained in Louisiana. Orders mailed to Vega were returned as undeliverable, and she did not provide the court with a new mailing address. The magistrate judge recommended sua sponte dismissal without prejudice for failure to prosecute, subject to objections under 28 U.S.C. § 636(b)(1)(C) and Federal Rule of Civil Procedure 72(b).

DISPOSITION

other

CASES CITED

- Link v. Wabash Railroad Co., 370 U.S. 626, 82 S. Ct. 1386 (1962)
- Rogers v. Kroger Co., 669 F.2d 317, 320-321 (5th Cir. 1982)
- Douglas v. U.S.A.A., 79 F.3d 1415 (5th Cir. 1996) (en banc)

OPINION

Vega

PER CURIAM.

UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF LOUISIANA

MONROE DIVISION

EVELYN VASQUEZ VEGA CIVIL ACTION NO. 26-301-P

VERSUS JUDGE JAMES D. CAIN, JR.

PAMELA BONDI, ET AL. MAGISTRATE JUDGE HORNSBY

REPORT AND RECOMMENDATION

In accordance with the standing order of this court, this matter was referred to the undersigned Magistrate Judge for review, report, and recommendation.

STATEMENT OF CLAIM

Before the court is a petition for writ of habeas corpus filed by pro se petitioner Evelyn Vasquez Vega ("Petitioner"), pursuant to 28 U.S.C. §2241. This petition was transferred from the United States District Court for the Southern District of Texas to this court on February 3, 2026 because Petitioner, an immigration detainee, was detained in the Richwood Correctional Center in Monroe, Louisiana. Petitioner challenges her continued detention. Petitioner names Pamela Bondi and the Warden of the Broward Transitional Center as respondents. On February 20, 2026, two orders (Docs. 17 and 20) which were mailed to Petitioner were both returned to this court on February 20, 2026, by the United States Postal Service marked "RETURN TO SENDER -NO LONGER AT THIS FACILITY" (Docs. 21 and 22). To date, Plaintiff has not informed this court of her new address. All parties have the responsibility of promptly reporting to the court and to all other parties any change in the mailing address. Failure to do so shall be considered cause for dismissal for failure to prosecute. See LR 41.3D. Accordingly; IT IS RECOMMENDED that this petition be DISMISSED WITHOUT PREJUDICE, sua sponte, for failure to prosecute, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure as interpreted by the court and under the court's inherent power to control its own docket. See *Link v. Wabash Railroad Company*, 370 U.S. 626, 82 S.Ct. 1386 (1962); *Rogers v. Kroger Company*, 669 F.2d 317, 320-321 (5th Cir. 1982).

OBJECTIONS

Under the provisions of 28 U.S.C. § 636(b)(1)(C) and Fed. R. Civ. P. 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 unless an extension of time is granted under Fed. R. Civ. P. 6(b). A party may respond to another party's objections within fourteen (14) days after being served with a copy thereof. Counsel are directed to furnish a courtesy copy of any objections or responses to the District Judge at the time of filing. A party's failure to file written objections to the proposed findings, conclusions and recommendation set forth above, within fourteen (14) days after being served with a copy shall bar that party, except upon grounds of plain error, from attacking on appeal the proposed factual findings and legal conclusions that were

accepted by the district Page 2 of 3 court and that were not objected to by the aforementioned party. See Douglas v. U.S.A.A., 79 F.3d 1415 (Sth Cir. 1996) (en banc). **THUS DONE AND SIGNED**, in chambers, at Shreveport, Louisiana, on this 1* day of April 2026. Mark L. Hornsby
U.S. Magistrate Judge Page 3 of 3