

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI, SOUTHEASTERN DIVISION

Carlos J. Wallace v. United States of America

Wallace · No. 1:26-cv-00021-SNLJ · Decided April 2, 2026

SUMMARY

The court dismissed Carlos J. Wallace’s action seeking relief under 28 U.S.C. § 2255 without prejudice because he failed to file an amended motion on the required court form and failed to prosecute the case. The court relied on Federal Rule of Civil Procedure 41(b) and certified that an appeal would not be taken in good faith.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri, Southeastern Division
WRITING FOR THE COURT	Stephen N. Limbaugh, Jr.
JURISDICTION	United States District Court for the Eastern District of Missouri, Southeastern Division
DECIDED	April 2, 2026
DOCKET	1:26-cv-00021-SNLJ
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner initiated an action construed as a motion for relief under 28 U.S.C. § 2255. After the Court directed him to submit an amended motion on the required form and warned that noncompliance could result in dismissal, he failed to respond or request additional time.
STANDARD OF REVIEW	A district court may sua sponte dismiss an action for failure to prosecute or failure to comply with a court order under its inherent authority and Federal Rule of Civil Procedure 41(b).
PRECEDENTIAL VALUE	Unpublished district court memorandum and order; precedential status not stated.
PARTIES	Carlos J. Wallace v. United States of America

TOPICS

- federal habeas corpus
- post-conviction relief
- civil procedure

PRACTICE AREAS

federal habeas corpus

civil procedure

post-conviction relief

QUESTIONS PRESENTED

1. Whether the Court should dismiss the § 2255 action without prejudice because Petitioner failed to comply with the order requiring an amended motion on the Court-provided form.
2. Whether dismissal was warranted for failure to prosecute.

HOLDINGS

1. A district court may dismiss an action without prejudice when the petitioner receives meaningful notice of the required corrective action, is warned that noncompliance will result in dismissal, is given adequate time to comply, and nevertheless fails to obey the court's order or prosecute the action.

KEY QUOTATIONS

“Petitioner was given meaningful notice of what was expected, he was cautioned that his case would be dismissed if he failed to timely comply, and he was given ample time to comply.”

“the authority of a court to dismiss sua sponte for lack of prosecution is inherent power governed “by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases””

FACTUAL BACKGROUND

Carlos J. Wallace filed a handwritten submission construed as seeking relief under 28 U.S.C. § 2255. Because the submission was not on the required Court-provided form, the Court ordered him to file an amended motion within thirty days and warned that failure to do so would result in dismissal. Wallace neither filed the amended motion by the deadline nor sought additional time.

PROCEDURAL HISTORY

Petitioner commenced the action with a handwritten filing. The Court found the filing defective because it was not submitted on the Court-provided § 2255 form, directed Petitioner to file an amended motion within thirty days, and warned that failure to comply would result in dismissal. Petitioner did not comply by the March 16, 2026 deadline, and the Court dismissed the action without prejudice for failure to obey the order and failure to prosecute.

DISPOSITION

dismissed

CASES CITED

- Link v. Wabash R.R. Co., 370 U.S. 626, 630-31 (1962)
- Brown v. Frey, 806 F.2d 801, 803 (8th Cir. 1986)

OPINION

Wallace

PER CURIAM.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF MISSOURI

SOUTHEASTERN DIVISION

CARLOS J. WALLACE,)

) Petitioner,)) v.) Case No. 1:26-cv-00021-SNLJ)

UNITED STATES OF AMERICA,)

) Respondent.)

MEMORANDUM AND ORDER

This matter is before the Court upon review of the file. Petitioner Carlos Wallace commenced this action with a handwritten filing, construed as seeking relief under 28 U.S.C. § 2255. [Doc. 1]. However, the filing was defective as a § 2255 motion because it was not drafted on a Court-provided form. As such, on February 13, 2026, the Court directed the Clerk to send Petitioner the Court form for §2255 motions and ordered Petitioner to file an amended motion on the Court form within thirty (30) days. [Doc. 2]. The Court cautioned Petitioner that his failure to timely comply with the Court's Order would result in the dismissal of his case. [Id.] Petitioner's response was due by March 16, 2026. To date, Petitioner has neither responded to the Court's order, nor sought additional time to do so. Petitioner was given meaningful notice of what was expected, he was cautioned that his case would be dismissed if he failed to timely comply, and he was given ample time to comply. The Court will therefore dismiss this action, without prejudice, due to Petitioner's failure to comply with the Court's February 13, 2026 Order and his failure to prosecute his case. See Fed. R. Civ. P. 41(b); see also *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962) (the authority of a court to dismiss sua sponte for lack of prosecution is inherent power governed "by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases"); *Brown v. Frey*, 806 F.2d 801, 803 (8th Cir. 1986) (a district court has the power to dismiss an action for the plaintiffs failure to comply with any court order). Accordingly, IT IS HEREBY ORDERED that this case is DISMISSED without prejudice. A separate order of dismissal will be entered herewith. IT IS HEREBY CERTIFIED that an appeal from this dismissal would not be taken in good faith. Dated this 2nd day of April, 2026.

STEPHEN N. LIMBAUGH, JR."

SENIOR UNITED STATES DISTRICT JUDGE