

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

Pedro Emmanuel Jacques v. Dallas Earnshaw

Jacques v. Earnshaw · No. 2:25-cv-00250 DBB · Decided December 2, 2025

SUMMARY

The United States District Court for the District of Utah dismissed Pedro Emmanuel Jacques’s 28 U.S.C. § 2241 habeas petition without prejudice for failure to prosecute and failure to comply with orders to show cause. Applying the Ehrenhaus factors, the court found that Petitioner’s failure to respond, update his address, or otherwise communicate with the court warranted dismissal and that lesser sanctions would be ineffective. The court also denied a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the District of Utah
WRITING FOR THE COURT	David Barlow
JURISDICTION	United States District Court for the District of Utah
DECIDED	December 2, 2025
DOCKET	2:25-cv-00250 DBB
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought federal habeas relief under 28 U.S.C. § 2241. After the court issued two orders to show cause concerning failure to prosecute and petitioner failed to respond, the district court dismissed the petition without prejudice and denied a certificate of appealability.
STANDARD OF REVIEW	Dismissal for failure to prosecute under Federal Rule of Civil Procedure 41(b) is committed to the district court's discretion and requires consideration of the nonexclusive Ehrenhaus factors; dismissal with prejudice is appropriate only when those factors outweigh the strong preference for decisions on the merits.
PRECEDENTIAL VALUE	Unknown; memorandum decision and dismissal order from a federal district court with no reporter citation.
PARTIES	Pedro Emmanuel Jacques v. Dallas Earnshaw

TOPICS

- federal habeas corpus
- civil procedure
- sanctions
- appellate procedure
- standard of review

PRACTICE AREAS

federal habeas corpus

civil procedure

appellate procedure

QUESTIONS PRESENTED

1. Whether the district court could sua sponte dismiss the habeas action under Federal Rule of Civil Procedure 41(b) for failure to prosecute and failure to comply with court orders.
2. Whether the Ehrenhaus factors supported dismissal despite petitioner's pro se status and the preference for resolving cases on the merits.
3. Whether a certificate of appealability should be denied.

HOLDINGS

1. A district court may sua sponte dismiss an action under Federal Rule of Civil Procedure 41(b) when a petitioner fails to prosecute or comply with court orders.
2. Dismissal without prejudice was warranted because petitioner's prolonged failure to respond to two show-cause orders, failure to update his address, and failure to communicate interfered with the judicial process, demonstrated culpability, followed clear warnings, and rendered lesser sanctions ineffective.
3. A certificate of appealability was denied.

KEY QUOTATIONS

“The Ehrenhaus factors are not “a rigid test; rather, they represent criteria for the district court to consider [before] imposing dismissal as a sanction.”” (at 921)

“failure to respond to court orders cannot be ignored.” (at 1062)

“The federal courts are not a playground for the petulant or absent-minded; our rules and orders exist, in part, to ensure that the administration of justice occurs in a manner that most efficiently utilizes limited judicial resources.” (at 855-56)

FACTUAL BACKGROUND

Petitioner filed a federal habeas petition on March 31, 2025. The court issued two orders requiring petitioner to show cause why the action should not be dismissed, but petitioner did not respond to either order. Petitioner also failed to contact the court after filing the petition or update his address, and more than eight months elapsed without any further filing or communication.

PROCEDURAL HISTORY

Petitioner filed the habeas petition on March 31, 2025. The court determined that the claims were frivolous and issued an order on September 9, 2025, requiring petitioner to show cause why the petition and certificate of appealability should not be denied. After petitioner failed to respond, the court issued a second show-cause order on October 22, 2025, warning that the action would be dismissed if petitioner did not respond. Petitioner never responded, updated his address, or otherwise communicated with the court, so the court dismissed the action without prejudice.

DISPOSITION

dismissed

CASES CITED

- Olsen v. Mapes, 333 F.3d 1199, 1204 n.3 (10th Cir. 2003)
- Link v. Wabash R.R. Co., 370 U.S. 626, 630
- Bills v. United States, 857 F.2d 1404, 1405 (10th Cir. 1988)
- Ehrenhaus v. Reynolds, 965 F.2d 916, 920-21 (10th Cir. 1992)
- Davis v. Miller, 571 F.3d 1058, 1061-62 (10th Cir. 2009)
- DeBardleben v. Quinlan, 937 F.2d 502, 504 (10th Cir. 1991)
- Lee v. Max Int'l, LLC, 638 F.3d 1318, 1323 (10th Cir. 2011)
- Chavez v. City of Albuquerque, 402 F.3d 1039, 1044 (10th Cir. 2005)
- Archibeque v. Atchison, Topeka & Santa Fe Ry. Co., 70 F.3d 1172, 1174 (10th Cir. 1995)
- Jones v. Thompson, 996 F.2d 261, 264-65 (10th Cir. 1993)
- Villecco v. Vail Resorts, Inc., 707 F. App'x 531, 533-35 (10th Cir. 2017)
- Green v. Dorrell, 969 F.2d 915, 917 (10th Cir. 1992)
- Meade v. Grubbs, 841 F.2d 1512, 1518 n.6, 1521-22 (10th Cir. 1988)
- Faircloth v. Hickenlooper, No. 18-1212, 2018 U.S. App. LEXIS 36450, at *5-8 (10th Cir. Dec. 26, 2018) (unpublished)
- O'Neil v. Burton Grp., 559 F. App'x 719, 722 (10th Cir. 2014)
- United States ex rel. Jimenez v. Health Net, Inc., 400 F.3d 853, 855-56 (10th Cir. 2005)
- Smith v. McKune, 345 F. App'x 317, 320 (10th Cir. 2009)

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