

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
LOUISIANA

Aaron Johnson v. Kevin Luper, et al.

Civil Action No. 24-2492, Section J(1) · No. Civil Action No. 24-2492 · Decided January 22, 2026

SUMMARY

A magistrate judge recommends dismissing Aaron Johnson’s 42 U.S.C. § 1983 complaint without prejudice for failure to prosecute. The recommendation is based on Johnson’s failure to provide a current address after mail was returned as undeliverable and after the Court ordered him to submit a change of address.

CASE DETAILS

COURT	United States District Court for the Eastern District of Louisiana
WRITING FOR THE COURT	Janis van Meerveld
JURISDICTION	United States District Court for the Eastern District of Louisiana
DECIDED	January 22, 2026
DOCKET	Civil Action No. 24-2492
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff filed a pro se 42 U.S.C. § 1983 civil-rights complaint while incarcerated. After mail was returned as undeliverable and plaintiff failed to provide a current address, the magistrate judge issued a report and recommendation recommending dismissal without prejudice for failure to prosecute.
STANDARD OF REVIEW	A federal court may dismiss an action sua sponte for failure to prosecute or failure to comply with the Federal Rules of Civil Procedure or a court order, but the power should be exercised sparingly. For a pro se plaintiff, the court considers the plaintiff's own conduct in determining whether dismissal is appropriate.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- civil procedure
- section 1983
- prisoners rights
- sanctions

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the complaint should be dismissed without prejudice for failure to prosecute under Federal Rule of Civil Procedure 41(b) and the Eastern District of Louisiana's Local Rules after plaintiff failed to provide a current address.

HOLDINGS

1. The magistrate judge recommended that the complaint be dismissed without prejudice for failure to prosecute because Johnson failed to provide a current address after court mail was returned and after being ordered to do so.

KEY QUOTATIONS

“The power to dismiss for want of prosecution should be used sparingly, although it may be exercised sua sponte whenever necessary to achieve the orderly and expeditious disposition of cases.” (at 2)

“Accordingly, his complaint should be dismissed for failure to prosecute.” (at 3)

FACTUAL BACKGROUND

Johnson filed a § 1983 complaint while incarcerated at Rayburn Correctional Center. After he was released on November 11, 2025, mail sent to the correctional center was returned as undeliverable, and the court ordered him to file a written change of address. Johnson had provided no alternate address, did not notify the court of his current address, and had expressly acknowledged in his complaint that failure to keep the court informed of his whereabouts could result in dismissal.

PROCEDURAL HISTORY

Aaron Johnson filed this federal civil-rights action in October 2024 while incarcerated at Rayburn Correctional Center. Mail sent to him was returned after his release, and the court ordered him to provide a change of address. Johnson did not provide a current address or otherwise respond. The magistrate judge recommended dismissal without prejudice under Federal Rule of Civil Procedure 41(b), subject to the parties' opportunity to object under 28 U.S.C. § 636(b)(1).

DISPOSITION

dismissed

CASES CITED

- Link v. Wabash R.R., 370 U.S. 626 (1962)
- McCullough v. Lynaugh, 835 F.2d 1126 (5th Cir. 1988)
- Ramsay v. Bailey, 531 F.2d 706, 707 (5th Cir. 1976)
- Torns v. State of Miss. Department of Corrections, 262 F. App'x 638, 639 (5th Cir. 2008)

- Raborn v. Inpatient Management Partners, Inc., 278 F. App'x 402, 404-05 (5th Cir. 2008)
- Douglass v. United Services Automobile Association, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc)

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