

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION**

MARIO NAVARRETE,	:	
	:	
Petitioner,	:	
	:	
v.	:	Case No. 4:26-cv-859-CDL-AGH
	:	
Warden VERONICA STEWART,	:	
	:	
Respondent.	:	

ORDER

Pro se Petitioner Mario Navarrete filed a petition for writ of habeas corpus under 28 U.S.C. § 2254 with this Court (ECF No. 1). On June 9, 2026, the Court ordered Petitioner to recast his Petition on the Court’s standard form for seeking relief pursuant to 28 U.S.C. § 2254. ECF No. 3 at 1. Petitioner was given fourteen days to respond and failed to do so. *Id.* at 2. On July 31, 2026, the Court ordered Petitioner to show cause why his petition should not be dismissed for failure to comply with the June 9, 2026, Order. ECF No. 4 at 1. Petitioner was also ordered to submit a recast petition that complied with the Court’s previous instructions. *Id.* Petitioner was warned that failure to respond would likely result in the dismissal of this action. *Id.* Petitioner was again given fourteen days to respond and failed to do so. *Id.* at 1-2.

Due to Petitioner’s failure to follow the Court’s Orders and prosecute this action, the case is hereby **DISMISSED WITHOUT PREJUDICE**. Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep’t*, 205 F. App’x 802, 802 (11th Cir. 2006) (per curiam) (first

citing Fed. R. Civ. P. 41(b); and then citing *Lopez v. Aransas Cnty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)) (“The court may dismiss an action *sua sponte* under Rule 41(b) for failure to prosecute or failure to obey a court order.”).¹

SO ORDERED, this 18th day of September, 2026.

S/Clay D. Land

CLAY D. LAND

U.S. DISTRICT COURT JUDGE

MIDDLE DISTRICT OF GEORGIA

¹Rule 12 of the Rules Governing Section 2254 Cases in the United States District Courts (“Habeas Rules”) provides: “The Federal Rules of Civil Procedure, to the extent that they are not inconsistent with any statutory provisions or these rules, may be applied to a proceeding under these rules.” Federal Rule of Civil Procedure 41(b) is not inconsistent with the any of the Habeas Rules.