

United States District Court
Southern District of Texas

ENTERED

August 26, 2021

Nathan Ochsner, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MAIKAL KUSARI,
(A#216-433-909)

Petitioner,

vs.

WILLIAM P. BARR,

Respondent.

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CIVIL ACTION H-20-3129

MEMORANDUM AND OPINION

Maikal Kusari, an inmate of the Montgomery Processing Center (“MPC”), sued in September 2020. He filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241. Liberally construed, he challenged his continued confinement for longer than six months as unreasonable, and his release was required by *Zadvydas v. Davis*, 533 U.S. 678 (2001) because there is no reasonable likelihood of his removal in the foreseeable future. (Docket Entry No. 1, p. 6).

Online research reveals that Kusari is no longer in the custody of the MPC. Under Local Rule 83.4, a pro se litigant is responsible for keeping the Clerk advised in writing of his current address. The Court will send notices only to the address on file. Kusari has failed to provide the Court with an accurate, current address. Under the inherent powers necessarily vested in a court to manage its own affairs, this Court determines that dismissal for want of prosecution is appropriate. *See* FED. R. CIV. P. 41(b); *Link v. Wabash R.R.*, 370 U.S. 626 (1962); *Woodson v. Surgitek, Inc.*, 57 F.3d 1406, 1417 (5th Cir. 1995); 8 James Wm. Moore, et al., *Moore’s Federal Practice*

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§ 41.51(3)(b) & (e) (3d ed. 2017). Kusari is advised, however, that upon a proper showing, relief from this Order may be granted in accordance with Fed. R. Civ. P. 60(b). *See Link*, 370 U.S. at 635.

This action is DISMISSED without prejudice for want of prosecution. Any remaining pending motions are DENIED as moot.

SIGNED at Houston, Texas, on August 26, 2021.



VANESSA D. GILMORE
UNITED STATES DISTRICT JUDGE