

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TEXAS, TEXARKANA DIVISION

Aaron Gregory Lucas v. Director TDCJ-CID, et al.

Lucas · No. 5:25-CV-00070-RWS-JBB · Decided December 19, 2025

SUMMARY

The United States District Court for the Eastern District of Texas adopted a magistrate judge’s Report and Recommendation and dismissed Aaron Gregory Lucas’s 42 U.S.C. § 1983 action without prejudice. The dismissal was based on Plaintiff’s failure to pay the ordered initial partial filing fee or show good cause and failure to prosecute or obey a court order.

CASE DETAILS

COURT	United States District Court for the Eastern District of Texas, Texarkana Division
WRITING FOR THE COURT	Robert W. Schroeder III
JURISDICTION	United States District Court for the Eastern District of Texas, Texarkana Division
DECIDED	December 19, 2025
DOCKET	5:25-CV-00070-RWS-JBB
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se prisoner civil-rights action under 42 U.S.C. § 1983; after Plaintiff failed to pay an ordered initial partial filing fee or show good cause, the magistrate judge recommended dismissal without prejudice for failure to prosecute and obey a court order. The district court adopted the recommendation and dismissed the action.
STANDARD OF REVIEW	When no objections are filed to a magistrate judge's Report and Recommendation, the district court reviews for clear error, abuse of discretion, and whether the recommendation is contrary to law; unobjected-to factual findings and legal conclusions are subject to appellate review only for plain error.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Aaron Gregory Lucas v. Director TDCJ-CID, et al.

TOPICS

civil procedure

section 1983

prisoners rights

sanctions

PRACTICE AREAS

civil procedure

prisoner civil rights

federal courts

QUESTIONS PRESENTED

1. Whether the action should be dismissed without prejudice for failure to prosecute and failure to obey the court's order requiring payment of an initial partial filing fee or a showing of good cause.
2. What standard of review applies when no objections are filed to a magistrate judge's Report and Recommendation.

HOLDINGS

1. The court adopted the magistrate judge's Report and Recommendation and dismissed the action without prejudice for Plaintiff's failure to prosecute and failure to obey the order requiring payment of the initial partial filing fee or a showing of good cause.
2. When no objections are filed to a magistrate judge's Report and Recommendation, the district court applies review for clear error, abuse of discretion, and whether the recommendation is contrary to law.
3. Because Plaintiff filed no objections, he was barred from de novo review and, except for plain error, from appellate review of the unobjected-to factual findings and legal conclusions adopted by the district court.

KEY QUOTATIONS

"where no objections to a magistrate judge's Report and Recommendation are filed, the standard of review is 'clearly erroneous, abuse of discretion and contrary to law'" (Page 2)

FACTUAL BACKGROUND

Plaintiff filed a pro se civil-rights action alleging constitutional-rights violations. The court ordered him to pay an initial partial filing fee of \$22.00 or show good cause for nonpayment. He failed to comply, did not object to the magistrate judge's recommendation of dismissal, and did not otherwise prosecute the action.

PROCEDURAL HISTORY

The court ordered Plaintiff to pay an initial partial filing fee of \$22.00 within thirty days or show good cause under 28 U.S.C. § 1915(b). Plaintiff did neither, and the magistrate judge issued a Report and Recommendation recommending dismissal without prejudice. Plaintiff did not object, so the district court reviewed the recommendation, adopted it, dismissed the case without prejudice, and denied any pending motions.

DISPOSITION

dismissed

CASES CITED

- *Faciane v. Sun Life Assurance Co. of Can.*, 931 F.3d 412, 420-21 & n.9 (5th Cir. 2019)
- *Duarte v. City of Lewisville, Tex.*, 858 F.3d 348, 352 (5th Cir. 2017)
- *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989), cert. denied, 492 U.S. 918 (1989)

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