

**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

OPINION

Lucas

PER CURIAM.

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

§

AARON GREGORY LUCAS, §

§ Plaintiff, §

§ CASE NO. 5:25-CV-00070-RWS-JBB

v. § § DIRECTOR TDCJ-CID, et al., § § Defendants. § §

ORDER

Pro se Plaintiff Aaron Gregory Lucas filed this civil rights lawsuit under 42 U.S.C. § 1983 complaining of alleged deprivations of his constitutional rights. The lawsuit was referred to United States Magistrate Judge J. Boone Baxter. On September 5, 2025, Plaintiff was ordered to pay, within thirty days of receipt of the order, an initial partial filing fee of \$22.00 or show good cause why he could not do so, in accordance with 28 U.S.C. § 1915(b). Docket No. 5. Plaintiff failed to comply with the order. Therefore, on November 5, 2025, the magistrate judge issued a Report and Recommendation, recommending that the lawsuit be dismissed without prejudice for failure to prosecute and to obey a court order. Docket No. 8. A copy of this Report and Recommendation was sent to Plaintiff at his last known address, but Plaintiff did not file any objections. The Fifth Circuit has explained that where a letter is properly placed in the United States mail, a presumption exists that the letter reached its destination in the usual time and was received by the person to whom it was addressed. *Faciane v. Sun Life Assurance Co. of Can.*, 931 F.3d 412, 420–21 and n.9 (5th Cir. 2019). Because no objections have been filed, Plaintiff is barred from de novo review of the findings, conclusions, and recommendations of the magistrate judge and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *Duarte v. City of Lewisville, Tex.*, 858 F.3d 348, 352 (Sth Cir. 2017). The Court has reviewed the pleadings and the Report and Recommendation of the magistrate judge. After review, the Court concludes that the Report and Recommendation is correct. See *United States v. Wilson*, 864 F.2d 1219, 1221 (Sth

Cir.), cert. denied, 492 U.S. 918

(1989) (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"). Accordingly, it is ORDERED that the Report and Recommendation (Docket No. 8) is ADOPTED as the opinion of the District Court. It is further ORDERED that the above-styled case is DISMISSED WITHOUT PREJUDICE for failure to prosecute and to obey a court order. It is further ORDERED that all motions which may be pending in this civil action are hereby DENIED. So ORDERED and SIGNED this 19th day of December, 2025. [Docket No. 8]

ROBERT W. SCHROEDER III

UNITED STATES DISTRICT JUDGE

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