

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

Alejandro Luis Corominas v. Botie Hillhouse, et al.

Corominas · No. 6:25-cv-259-JDK · Decided December 3, 2025

SUMMARY

The United States District Court for the Eastern District of Texas adopted a magistrate judge’s report and recommendation in Alejandro Luis Corominas’s pro se civil rights action under 42 U.S.C. § 1983. The court dismissed the case without prejudice for failure to prosecute after the plaintiff failed to satisfy the filing fee requirement, amend his complaint, or file objections.

CASE DETAILS

COURT	United States District Court for the Eastern District of Texas, Tyler Division
WRITING FOR THE COURT	Jeremy D. Kernodle
JURISDICTION	United States District Court for the Eastern District of Texas, Tyler Division
DECIDED	December 3, 2025
DOCKET	6:25-cv-259-JDK
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed and adopted a magistrate judge's report and recommendation that the plaintiff's § 1983 action be dismissed without prejudice for failure to prosecute.
STANDARD OF REVIEW	When no timely objections are filed to a magistrate judge's report and recommendation, the district court reviews factual findings for clear error or abuse of discretion and reviews legal conclusions to determine whether they are contrary to law. De novo review applies only when a party timely objects.
PRECEDENTIAL VALUE	Unpublished district court order; generally nonprecedential.
PARTIES	Alejandro Luis Corominas v. Botie Hillhouse, et al.

TOPICS

- section 1983
- civil rights
- civil procedure

PRACTICE AREAS

Civil procedure

Civil rights litigation

Prisoner litigation

QUESTIONS PRESENTED

1. What standard of review applies when a party does not timely object to a magistrate judge's report and recommendation?
2. Whether the action should be dismissed without prejudice for failure to prosecute after Plaintiff failed to comply with court orders and did not object to the report and recommendation.

HOLDINGS

1. When no timely objections are filed, the district court reviews the magistrate judge's factual findings for clear error or abuse of discretion and reviews legal conclusions to determine whether they are contrary to law, rather than conducting de novo review.
2. The action was properly dismissed without prejudice for failure to prosecute because Plaintiff failed to comply with the court's orders and failed to object to or otherwise cure the deficiencies identified in the report and recommendation.

KEY QUOTATIONS

"The Court therefore reviews the Magistrate Judge's findings for clear error or abuse of discretion and reviews her legal conclusions to determine whether they are contrary to law."

"It is therefore ORDERED that this case is DISMISSED without prejudice for failure to prosecute."

FACTUAL BACKGROUND

Alejandro Luis Corominas, an inmate proceeding pro se, filed a civil rights lawsuit under 42 U.S.C. § 1983 without paying the filing fee. The court ordered him to satisfy the filing-fee requirement and amend his complaint to cure identified deficiencies. He failed to comply, received the magistrate judge's report recommending dismissal, and filed neither objections nor a corrective pleading.

PROCEDURAL HISTORY

Plaintiff, proceeding pro se and without paying the filing fee, filed a civil rights action. The magistrate judge recommended dismissal after Plaintiff failed to comply with an order requiring payment of the filing fee and amendment of the complaint. Plaintiff received the report and recommendation but filed no objections and did not cure the deficiencies. The district court adopted the recommendation and dismissed the case without prejudice.

DISPOSITION

dismissed

CASES CITED

- *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc)
- *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS
 TYLER DIVISION ALEJANDRO LUIS COROMINAS, § #12100855, § § Plaintiff, § § v. § Case
 No. 6:25-cv-259-JDK § BOTIE HILLHOUSE, et al., § § Defendants. § ORDER ADOPTING
 THE REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE
 Plaintiff Alejandro Luis Corominas, an inmate of the Henderson County Jail proceeding pro se,
 filed this civil rights lawsuit pursuant to 42 U.S.C. § 1983 without paying the filing fee.

The case was referred to United States Magistrate Judge K. Nicole Mitchell for findings of fact, conclusions of law, and recommendations for the disposition of the case. On October 27, 2025, Judge Mitchell issued a Report recommending that Plaintiff's lawsuit be dismissed for failure to prosecute because Plaintiff had failed to comply with the Court's July 17 order to satisfy the filing fee requirement and to amend the complaint to cure identified deficiencies.

Docket No. 5. A copy of this Report was mailed to Plaintiff, who received it on November 3, 2025, but he did not file written objections or cure his deficiencies. Docket No. 6. This Court reviews the findings and conclusions of the Magistrate Judge de novo only if a party objects within fourteen days of the Report and Recommendation. 28 U.S.C. § 636(b)(1).

In conducting a de novo review, the Court examines the entire record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Assn*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc), superseded on other grounds by statute, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days).

Here, Plaintiff did not object in the prescribed period. The Court therefore reviews the Magistrate Judge's findings for clear error or abuse of discretion and reviews her legal conclusions to determine whether they are contrary to law. See *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989), cert. denied, 492 U.S. 918 (1989) (holding that, if no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law.>").

Having reviewed the Magistrate Judge's Report and the record in this case, the Court finds no clear error or abuse of discretion and no conclusions contrary to law. Accordingly, the Court hereby ADOPTS the Report and Recommendation of the United States Magistrate Judge (Docket No. 5) as the findings of this Court. It is therefore ORDERED that this case is DISMISSED without prejudice for failure to prosecute.

All pending motions are DENIED as moot. So ORDERED and SIGNED this 3rd_ day of December, 2025. JHREMYD. KERN DLE UNITED STATES DISTRICT JUDGE

