

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

Alfred Wayne Reed v. Memorial Hermann Hospital

Reed · No. 4:24-cv-03903 · Decided March 27, 2026

OPINION

March 27, 2026 Nathan Ochsner, Clerk UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION ALFRED WAYNE REED, § CIVIL ACTION NUMBER Plaintiff, § 4:24-cv-03903 § § versus § JUDGE CHARLES ESKRIDGE § § MEMORIAL HERMANN § HOSPITAL, § Defendant. § ORDER ADOPTING REPORT AND RECOMMENDATION Plaintiff Alfred Wayne Reed proceeds here pro se. He alleges violations of Title VII of the Civil Rights Act of 1964 and of the Age Discrimination in Employment Act related to termination of his employment with Defendant Memorial Hermann Hospital.

See Dkt 1 at 3–4. The matter was referred for disposition to Magistrate Judge Dena Hanovice Palermo. Dkt 3. Judge Palermo entered an order directing Plaintiff to file proof of service by January 23, 2025, or to show cause why the Court should not dismiss this case for want of prosecution. Dkt 4. Plaintiff failed to file proof of service or otherwise respond.

Judge Palermo then entered a Report and Recommendation recommending that this action be dismissed without prejudice. Dkt 5. The district court reviews de novo those conclusions of a magistrate judge to which a party has specifically objected. See FRCP 72(b)(3) & 28 USC § 636(b)(1)(C); see also *United States v Wilson*, 864 F2d 1219, 1221 (5th Cir 1989, per curiam).

The district court may accept any other portions to which there's no objection if satisfied that no clear error appears on the face of the record. See *Guillory v PPG Industries Inc*, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d 1415, 1430 (5th Cir 1996, en banc); see also FRCP 72(b) advisory committee note (1983).

Plaintiff filed objections. Dkt 6. On de novo review and determination, they entirely lack merit. Plaintiff there indicates intention to continue pursuing his claims. But he nowhere demonstrates that he has attempted to effectuate service on Memorial Hermann.

The objections by Plaintiff Alfred Wayne Reed to the Report and Recommendation of the Magistrate Judge are **OVERRULED**. Dkt 6. No clear error otherwise appears upon review and consideration of the Report and Recommendation, the record, and the applicable law.

The Report and Recommendation of the Magistrate Judge is **ADOPTED** as the Memorandum and Order of this Court. Dkt 5. This action is **DISMISSED WITHOUT PREJUDICE**. A final judgment

will enter separately. SO ORDERED. Signed on March 27, 2026, at Houston, Texas. ABE.
Honorable Charles Eskridge United States District Judge

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