

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA

Dalton Gage Hill, Administrator and Personal Representative of the
Estate of Jeffery Allen Hill, deceased v. Oklahoma County Criminal
Justice Authority, et al.

Hill · No. CIV-24-1298-D · Decided December 4, 2025

SUMMARY

The United States District Court for the Western District of Oklahoma adopted a magistrate judge’s Report and Recommendation concerning sanctions against plaintiff’s counsel for citing non-existent cases and using generative artificial intelligence without verifying the resulting authorities. The court ordered counsel to pay defendants’ reasonable fees and costs for attending a hearing, disclose and certify future generative-AI use, and complete specified continuing legal education.

CASE DETAILS

COURT	United States District Court for the Western District of Oklahoma
WRITING FOR THE COURT	Timothy D. DeGiusti
JURISDICTION	United States District Court for the Western District of Oklahoma
DECIDED	December 4, 2025
DOCKET	CIV-24-1298-D
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought a 42 U.S.C. § 1983 action. After the magistrate judge ordered Plaintiff's counsel to show cause why he should not be sanctioned under Federal Rule of Civil Procedure 11 and the court's inherent authority for citing nonexistent cases, the magistrate judge issued a Report and Recommendation recommending sanctions. No timely objection was filed, and the district court adopted the Report and Recommendation and imposed sanctions on counsel.
STANDARD OF REVIEW	The district court reviewed the magistrate judge's Report and Recommendation after the period for objections expired and adopted it upon review of the record. The opinion states that failure to object waives appellate review of factual and legal issues under Moore v. United States.

PRECEDENTIAL VALUE	limited
PARTIES	Dalton Gage Hill, Administrator and Personal Representative of the Estate of Jeffery Allen Hill, deceased v. Oklahoma County Criminal Justice Authority, et al.

TOPICS

sanctions attorney fees section 1983 civil rights civil procedure

PRACTICE AREAS

civil procedure civil rights legal ethics sanctions attorney fees

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's recommendation to sanction Plaintiff's counsel for citing nonexistent cases and related filing misconduct.
2. What sanctions were appropriate under Federal Rule of Civil Procedure 11 and the court's inherent authority.

HOLDINGS

1. Because no timely objection was filed and the court's review of the record supported the recommendation, the district court adopted the magistrate judge's Report and Recommendation in its entirety.
2. The court ordered counsel to pay defendants' reasonable attorneys' fees and costs incurred for attending the hearing, disclose and certify any use of generative AI in future pleadings, and complete at least three hours of continuing legal education in ethics or legal technology, including at least one hour concerning generative AI in the legal context.

KEY QUOTATIONS

“Despite this case’s history of pitfalls and myriad of filing issues, Mr. McBride appeared unconcerned with the repeated filings of ‘rough’ drafts, citations to non-existent cases, and how his use of artificial intelligence (AI)-generated arguments and citations negatively impacts the integrity of his legal practice and the judicial system.” (Doc. No. 134 at 6)

“shall disclose in all future pleadings whether generative AI was used, the specific AI tool that was used, and shall certify in the document that he has checked the accuracy of any portion of the document drafted by generative AI, including all citations and legal authority”

FACTUAL BACKGROUND

Plaintiff's counsel, Michael McBride, used ChatGPT to draft a response to a motion and filed citations to nonexistent cases. The magistrate judge also identified repeated missed deadlines, filing of defendants' motions

instead of plaintiff's responses, repeated filing of rough drafts, and a general lack of care. The court concluded that this conduct warranted sanctions directed at counsel.

PROCEDURAL HISTORY

The action was referred to Magistrate Judge Suzanne Mitchell under 28 U.S.C. § 636(b)(1)(B) and (C). Following a show-cause proceeding concerning counsel's use of nonexistent, AI-generated citations and other filing deficiencies, the magistrate judge recommended monetary, disclosure, and continuing-legal-education sanctions. The district court found no timely objection, adopted the Report and Recommendation in its entirety, and ordered counsel to comply with the sanctions, modifying the compliance period for the continuing-education requirement from 60 to 90 days.

DISPOSITION

other

CASES CITED

- Moore v. United States, 950 F.2d 656, 659 (10th Cir. 1991)

OPINION

Hill

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF OKLAHOMA

DALTON GAGE HILL,)

Administrator and Personal) Representative of the Estate of) Jeffery Allen Hill, deceased,))
Plaintiff,)) v.) Case No. CIV-24-1298-D)

OKLAHOMA COUNTY CRIMINAL)

JUSTICE AUTHORITY, et al.,)) Defendants.)

ORDER

Plaintiff brought this civil rights action under 42 U.S.C. § 1983, alleging violations of Jeffery Allen Hill’s constitutional rights [Am. Compl, Doc. No. 53]. The matter was referred to United States Magistrate Judge Suzanne Mitchell for initial proceedings in accordance with 28 U.S.C. § 636(b)(1)(B) and (C). The magistrate judge ordered Plaintiff’s counsel, Michael McBride, to show cause as to why he should not be sanctioned under Rule 11 and the Court’s inherent authority for citing non-existent cases [Doc. No. 126]. Before the Court is the magistrate judge’s Report and Recommendation [Doc. No. 134], in which the magistrate judge recommends that the Court sanction Mr. McBride as set forth below. As noted in her Report, the magistrate judge directed Plaintiff and Mr. McBride to appear before the Court on September 3, 2025. Id. at 3. At that hearing, Mr. McBride “confirmed that he used Chat GPT to draft his response to Defendant

Logan's motion." Id. at 5. The magistrate judge noted that "[c]onsistent with his prior interactions with the Court," Mr. McBride "deflected responsibility" and "attributed the erroneous citations to errors by his legal staff." Id. The magistrate judge further highlighted what the undersigned previously described as a pattern of "deeply troubling" conduct by Mr. McBride, to include repeatedly missing filing deadlines, repeatedly filing copies of Defendants' motions instead of Plaintiff's responses thereto, and a general lack of care. Id. at 3-5. In her Report, the magistrate judge found that "[d]espite this case's history of pitfalls and myriad of filing issues, Mr. McBride appeared unconcerned with the repeated filings of 'rough' drafts, citations to non-existent cases, and how his use of artificial intelligence (AI)-generated arguments and citations negatively impacts the integrity of his legal practice and the judicial system." Id. at 6. For these reasons, the magistrate judge recommends that the Court:

- (1) direct Mr. McBride to pay Defendants' reasonable attorneys' fees and costs incurred for attending the hearing;
- (2) require Mr. McBride to disclose in all future pleadings whether generative AI was used, the specific AI tool that was used, and certify in the document that he has checked the accuracy of any portion of the document drafted by generative AI, including all citations and legal authority;
- (3) require Mr. McBride to complete a minimum of three hours of Continuing Legal Education in ethics or legal technology, including at least one hour on the use of generative AI in the legal context, within 60 days of this Order, with proof of compliance filed on the docket; and
- (4) impose any other sanctions that the Court deems proper.

Id. at 9. In her Report, the magistrate judge notified Plaintiff and his counsel of their right to file an objection to the report, and that the failure to object waives Plaintiff's right to appellate review of both factual and legal issues contained in the report. See *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991). Upon review of the file and noting no timely objection to the findings and recommendations of the magistrate judge, the Court ADOPTS the Report and Recommendation [Doc. No. 134] in its entirety. IT IS THEREFORE ORDERED that Mr. McBride:

- (1) shall pay Defendants' reasonable attorneys' fees and costs incurred for attending the hearing;
- (2) shall disclose in all future pleadings whether generative AI was used, the specific AI tool that was used, and shall certify in the document that he has checked the accuracy of any portion of the document drafted by generative AI, including all citations and legal authority; and
- (3) shall complete a minimum of three hours of Continuing Legal Education in ethics or legal technology, including at least one hour on the use of generative AI in the legal context, within 90 days¹ of this Order, with proof of compliance filed in the Court record.² ¹ The Court increases this time period to 90 days to allow Mr. McBride reasonable time to locate and

attend applicable CLE programs 2 Should Mr. McBride cite to non-existent, AI-generated cases in the future, the Court will not hesitate to impose additional sanctions. IT IS SO ORDERED this 4th day of December, 2025. Ny Q.OyPt

TIMOTHY D. DeGIUSTI

Chief United States District Judge

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