

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
MISSISSIPPI, OXFORD DIVISION

Elizabeth Duffy v. Shahabuddeen A. Ally, et al.

No. 3:26-CV-137-SA-RP, United States District Court for the Northern District of Mississippi, Oxford Division
(June 17, 2026)

SUMMARY

The United States District Court for the Northern District of Mississippi adopted a magistrate judge’s Report and Recommendation recommending dismissal of Elizabeth Duffy’s claims for failure to state a claim and lack of subject matter jurisdiction. Because Duffy did not object, the court reviewed the recommendation for plain error, adopted it in full, dismissed the case, and closed the matter.

CASE DETAILS

COURT	United States District Court for the Northern District of Mississippi, Oxford Division
WRITING FOR THE COURT	Sharion Aycock
JURISDICTION	United States District Court for the Northern District of Mississippi, Oxford Division
DECIDED	June 17, 2026
DOCKET	3:26-CV-137-SA-RP
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed and adopted a magistrate judge's Report and Recommendation recommending dismissal for failure to state a claim and lack of subject matter jurisdiction. The plaintiff filed no objection.
STANDARD OF REVIEW	For portions of a magistrate judge's report and recommendation to which no objection is made, the court reviews the record for plain error.
PRECEDENTIAL VALUE	Unpublished district court order with limited precedential value

TOPICS

- subject matter jurisdiction
- motions to dismiss
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court should review the unobjected-to Report and Recommendation for plain error.
2. Whether the Report and Recommendation recommending dismissal for failure to state a claim and lack of subject matter jurisdiction should be adopted.

HOLDINGS

1. When no objections are filed to portions of a magistrate judge's Report and Recommendation, the district court need only determine whether there is plain error on the face of the record.
2. The court found no plain error, adopted the Report and Recommendation in full, and dismissed the plaintiff's claims for failure to state a claim on which relief may be granted and for lack of subject matter jurisdiction.

KEY QUOTATIONS

“With respect to those portions of the report and recommendation to which no objections were raised, the Court need only satisfy itself that there is no plain error on the face of the record.” (Order)

“The recommendation is ADOPTED IN FULL. Duffy’s claims are hereby DISMISSED. This CASE is CLOSED.” (Order)

FACTUAL BACKGROUND

The opinion provides no substantive factual allegations concerning the plaintiff's claims. The material procedural fact is that the plaintiff did not object to the magistrate judge's recommendation, and the Report and Recommendation was returned as undeliverable after being mailed to the address the plaintiff provided.

PROCEDURAL HISTORY

On June 2, 2026, Magistrate Judge Percy issued a Report and Recommendation recommending dismissal. The plaintiff did not object before the objection deadline expired. The district court reviewed the recommendation and the record for plain error, found none, adopted the recommendation in full, dismissed the claims, and closed the case.

DISPOSITION

dismissed

CASES CITED

- Gauthier v. Union Pac. R.R. Co., 644 F. Supp. 2d 824, 828 (E.D. Tex. 2009)
- Douglass v. United Servs. Auto. Ass'n, 79 F.3d 1415, 1428–29 (5th Cir. 1996)

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