

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

Bradley Wayne Thomas v. Director, TDCJ-CID

Civil Action No. 4:25-CV-983-RWS-JBB · No. 4:25-CV-983-RWS-JBB · Decided February 24, 2026

SUMMARY

The United States District Court for the Eastern District of Texas adopts a magistrate judge’s report and recommendation in Bradley Wayne Thomas’s 28 U.S.C. § 2254 habeas petition. The court dismisses the case without prejudice for failure to prosecute or obey a court order after Thomas failed to file objections.

CASE DETAILS

COURT	United States District Court for the Eastern District of Texas, Sherman Division
WRITING FOR THE COURT	Robert W. Schroeder III
JURISDICTION	United States District Court for the Eastern District of Texas, Sherman Division
DECIDED	February 24, 2026
DOCKET	4:25-CV-983-RWS-JBB
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought federal habeas relief under 28 U.S.C. § 2254. After the magistrate judge recommended dismissal without prejudice for failure to prosecute or obey a court order, and no objections were filed, the district court adopted the recommendation and dismissed the case without prejudice.
STANDARD OF REVIEW	Because no objections were filed, the district court reviewed the magistrate judge's recommendation for clear error, abuse of discretion, and whether it was contrary to law; unobjected-to factual findings and legal conclusions were subject to plain-error review on appeal.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Bradley Wayne Thomas v. Director, TDCJ-CID

TOPICS

federal habeas corpus

post-conviction relief

pleadings

civil procedure

PRACTICE AREAS

federal habeas corpus

post-conviction relief

civil procedure

QUESTIONS PRESENTED

1. Whether the magistrate judge's report and recommendation should be reviewed under the applicable non-de novo standard because Thomas filed no objections.
2. Whether the case should be dismissed without prejudice for failure to prosecute or obey a court order.

HOLDINGS

1. A party who fails to object to a magistrate judge's report and recommendation is barred from de novo review by the district judge and, except for plain error, from appellate review of unobjected-to factual findings and legal conclusions accepted by the district court.
2. The case was properly dismissed without prejudice for failure to prosecute or obey a court order.

KEY QUOTATIONS

“Because no objections have been received, Petitioner is barred from de novo review by the District Judge of the Magistrate Judge’s proposed findings, conclusions, and recommendations 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.” (2)

“Accordingly, it is ORDERED that the Report and Recommendation (Docket No. 12) is ADOPTED as the opinion of the District Court.” (2)

“It is further ORDERED that the above-captioned case is DISMISSED WITHOUT PREJUDICE.” (2)

FACTUAL BACKGROUND

Thomas filed a federal habeas petition challenging his 2023 Denton County, Texas conviction for assault family violence causing bodily injury. He was not incarcerated and received the magistrate judge's report and recommendation electronically, but did not file objections or otherwise comply with the relevant court requirement.

PROCEDURAL HISTORY

Thomas filed an amended § 2254 petition challenging his 2023 Denton County, Texas conviction for assault family violence causing bodily injury. The magistrate judge issued a report and recommendation on December 8, 2025, recommending dismissal without prejudice for failure to prosecute or obey a court order. Thomas received the recommendation electronically but filed no objections, so the district court adopted it and dismissed the case without prejudice.

DISPOSITION

dismissed

CASES CITED

- Duarte v. City of Lewisville, 858 F.3d 348, 352 (5th Cir. 2017)
- Arriaga v. Laxminarayan, No. 4:21-CV-00203-RAS, 2021 WL 3287683, at *1 (E.D. Tex. July 31, 2021)
- United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir. 1989)

OPINION

Thomas

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

SHERMAN DIVISION

BRADLEY WAYNE THOMAS, §

§ Petitioner, § §

v. § CIVIL ACTION NO. 4:25-CV-983-RWS-JBB

§

DIRECTOR, TDCJ-CID, §

§ Respondent. §

ORDER

This case was referred to United States Magistrate Judge J. Boone Baxter. In his amended petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254, Petitioner Bradley Thomas challenges his 2023 Denton County, Texas conviction for assault family violence causing bodily injury. Docket No. 5 at 3; see also Docket No. 1 at 1. On December 8, 2025, the Magistrate Judge issued a report and recommendation, recommending the application for writ of habeas corpus be dismissed without prejudice for failure to prosecute or to obey an order of the Court. Docket No. 12 at 2. Petitioner, who is not incarcerated, received a copy of the Report and Recommendation via electronic notification. Docket No. 3. To date, Petitioner has not filed objections to the Report and Recommendation. Because no objections have been received, Petitioner is barred from de novo review by the District Judge of the Magistrate Judge's proposed findings, conclusions, and recommendations 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. See Duarte v. City of Lewisville, 858 F.3d 348, 352 (5th Cir. 2017); Arriaga v. Laxminarayan, No. 4:21-CV-00203-RAS, 2021 WL 3287683, at *1 (E.D. Tex. July 31, 2021). The Court has reviewed the pleadings in this case and the Report and Recommendation of the Magistrate Judge. Upon such review, the Court has determined that the Report and Recommendation of the Magistrate Judge is correct. See United States v. Wilson, 864 F.2d 1219, 1221 (Sth Cir. 1989) (where no objections to

a magistrate judge's report 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. 12) is ADOPTED as the opinion of the District Court. It is further ORDERED that the above-captioned case is DISMISSED WITHOUT PREJUDICE. It is further ORDERED that, in addition to sending notification electronically, the Clerk of Court is directed to mail a copy of this Order and the Final Judgment to Bradley Wayne Thomas, 5000 H Lively, Ponder, Texas 76259. So ORDERED and SIGNED this 24th day of February, 2026. [ache t+ LO Clriecl. □□□

ROBERT W. SCHROEDER III

UNITED STATES DISTRICT JUDGE

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