

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

Rodolfo Garcia v. Unknown Defendants

Garcia · No. 2:25-CV-00234 · Decided January 13, 2026

SUMMARY

The United States District Court for the Southern District of Texas adopts a magistrate judge's Memorandum and Recommendation after no party filed an objection. The court dismisses the plaintiff's claims without prejudice under Federal Rule of Civil Procedure 41(b) and denies as moot the motion for a preliminary injunction.

OPINION

Southern District of Texas ENTERED January 13, 2026 UNITED STATES DISTRICT COURT Nathan Ochsner, Clerk SOUTHERN DISTRICT OF TEXAS CORPUS CHRISTI DIVISION RODOLFO GARCIA, § Plaintiff, V. CIVIL ACTION NO. 2:25-CV-00234 UNKNOWN DEFENDANTS, Defendants. ORDER ADOPTING MEMORANDUM & RECOMMENDATION Before the Court is Magistrate Judge Jason Libby's Memorandum and Recommendation ("M&R").

(D.E. 11). The M&R recommends that the Court deny Plaintiff's motion for preliminary injunction and dismiss Plaintiff's claims without prejudice pursuant to Federal Rule of Civil Procedure 41(b). /d. at 3. The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); General Order No. 2002-13.

No objection has been filed. When no timely objection has been filed, the district court need only determine whether the Magistrate Judge's M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam); *Powell v. Litton Loan Servicing, L.P.*, No. 4:14-CV-02700, 2015 WL 3823141, at *1 (S.D. Tex. June 18, 2015) (Harmon, J.) (citation omitted).

Having reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court ADOPTS the M&R in its entirety. (D.E. 11).

Accordingly, the Court DISSMISSES without prejudice Plaintiff's claims, (D.E. 1), and DENIES as moot Plaintiff's 1/2 motion for a preliminary injunction. (D.E. 7). The Court will enter final

judgment separately. DA.M LES UNITED STATES DISTRICT JUDGE Signed: Corpus Christi,
Texas January y 2 2026 2/2

Retrieved from lawtools.ai · <https://lawtools.ai/cases/federal/united-states-district-court-for-the-southern-district-of-te/2026/rodolfo-garcia-v-unknown-defendants-6grq3bsw>