

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
TEXAS, AUSTIN DIVISION

JP Park v. TCH Social – Austin

Park · No. 1:25-CV-01785-ADA-DH · Decided January 29, 2026

SUMMARY

The United States District Court for the Western District of Texas adopts a magistrate judge’s report and recommendation concerning JP Park’s discrimination claims against TCH Social – Austin. After conducting de novo review and considering Park’s objections and supplemental information, the court overrules the objections and dismisses the Title VII and Americans with Disabilities Act claims without prejudice.

CASE DETAILS

COURT	United States District Court for the Western District of Texas, Austin Division
WRITING FOR THE COURT	Alan D. Albright
JURISDICTION	United States District Court for the Western District of Texas, Austin Division
DECIDED	January 29, 2026
DOCKET	1:25-CV-01785-ADA-DH
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed Plaintiff's objections to a magistrate judge's report and recommendation recommending dismissal without prejudice of Plaintiff's Title VII and Americans with Disabilities Act discrimination claims.
STANDARD OF REVIEW	De novo review of the magistrate judge's report and recommendation and specific objections under 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b).
PRECEDENTIAL VALUE	Unknown; unreported federal district court order
PARTIES	JP Park v. TCH Social – Austin

TOPICS

- civil procedure
- employment discrimination
- title vii
- ada / disability
- motions to dismiss

PRACTICE AREAS

civil procedure

employment discrimination

title vii

ada / disability

civil rights

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's recommendation to dismiss Park's Title VII and Americans with Disabilities Act discrimination claims without prejudice.
2. Whether Park's objections warranted rejection or modification of the report and recommendation.

HOLDINGS

1. After conducting de novo review of the complaint, objections, supplemental information, and applicable law, the district court adopted the magistrate judge's report and recommendation.
2. Park's objections were overruled because they did not persuade the district court that the magistrate judge's findings and recommendation should be rejected or modified.
3. Park's discrimination claims arising under Title VII and the Americans with Disabilities Act were dismissed without prejudice.

FACTUAL BACKGROUND

The opinion concerns discrimination claims brought by JP Park against TCH Social – Austin under Title VII and the Americans with Disabilities Act. The magistrate judge recommended dismissal without prejudice, and Park objected to that recommendation and submitted supplemental information. The district court reviewed the complaint, objections, supplemental information, and applicable law before adopting the recommendation.

PROCEDURAL HISTORY

Magistrate Judge Dustin M. Howell issued a report and recommendation on January 5, 2026, recommending dismissal without prejudice of Park's discrimination claims. Park filed objections on January 20, 2026, and supplemental information on January 28, 2026. After de novo review, the district court adopted the report and recommendation, overruled the objections, and dismissed the claims without prejudice.

DISPOSITION

dismissed

CASES CITED

- Battle v. U.S. Parole Comm'n, 834 F.2d 419, 421 (5th Cir. 1987)
- Nettles v. Wainwright, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc)
- Douglass v. United States Auto. Ass'n, 79 F.3d 1415 (5th Cir. 1996)

OPINION

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS AUSTIN DIVISION
JP PARK, § § Plaintiff, § § v. § CIVIL NO. 1:25-CV-01785-ADA-DH § TCH SOCIAL –
AUSTIN, § § Defendant. § § § § § ORDER ADOPTING MAGISTRATE JUDGE’S REPORT
AND RECOMMENDATION Before the Court is the Report and Recommendation of United
States Magistrate Judge Dustin M. Howell. ECF No. 6.

The report recommends that this Court dismiss Park’s discrimination claims arising under Title VII and the American’s with Disabilities Act without prejudice. *Id.* at 5. The report and recommendation was filed on January 5, 2026. A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing de novo review by the district court.

28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A district court need not consider “[f]rivolous, conclusive, or general objections.” *Battle v. U.S. Parole Comm’n*, 834 F.2d 419, 421 (5th Cir. 1987) (quoting *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), overruled on other grounds by *Douglass v. United States Auto. Ass’n*, 79 F.3d 1415 (5th Cir.

1996)). The district court may decline a party’s request to hear new evidence not before the Magistrate Judge. Fed. R. Civ. P. 72(b)(3). Plaintiff filed objections on January 20, 2026 and supplemental information on January 28, 2026. ECF Nos. 9; 11.

The Court has conducted a de novo review of Plaintiff's Complaint and Plaintiffs objections to the report and recommendation, and the applicable laws. After that thorough review, the Court is persuaded that the Magistrate Judge’s findings and recommendation should be adopted. IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Dustin M. Howell (ECF No. 9) is ADOPTED.

IT IS FURTHER ORDERED that Plaintiffs objections are OVERRULED. IT IS FURTHER ORDERED, that Plaintiffs discrimination claims arising under Title VII and the American’s with Disabilities Act ace DISMISSED WITHOUT PREJUDICE. SIGNED 01/29/2026. (Yee Moo i
ALAN D ALBRIGHT UNITED STATES DISTRICT JUDGE