

**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

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 are DISMISSED WITHOUT PREJUDICE. SIGNED 01/29/2026. (Yee Moo i
ALAN D ALBRIGHT UNITED STATES DISTRICT JUDGE

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