

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

Brittany Dettor, Jonathan Dettor, and Johnny Dettor v. Grease
Monkey International, LLC

Dettor · No. No. 3:25-CV-10-DMB-RP · Decided March 17, 2026

SUMMARY

The United States District Court for the Northern District of Mississippi adopted a magistrate judge’s report and recommendation after no party filed objections. The court dismissed the case without prejudice after determining that the report was neither clearly erroneous nor contrary to law.

CASE DETAILS

COURT	United States District Court for the Northern District of Mississippi, Oxford Division
WRITING FOR THE COURT	Debra M. Brown
JURISDICTION	United States District Court for the Northern District of Mississippi, Oxford Division
DECIDED	March 17, 2026
DOCKET	No. 3:25-CV-10-DMB-RP
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's report and recommendation recommending dismissal without prejudice. No party filed objections.
STANDARD OF REVIEW	When no objections are made to a magistrate judge's report and recommendation after notice of the consequences, the district court reviews for plain error and need only determine whether the report is clearly erroneous or contrary to law.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. What standard of review applies when no party objects to a magistrate judge's report and recommendation?
2. Whether the report and recommendation was clearly erroneous or contrary to law and should be adopted.
3. Whether the case should be dismissed without prejudice.

HOLDINGS

1. When a party fails to object to a magistrate judge's report and recommendation despite notice of the consequences, the district court applies plain-error review and determines whether the report is clearly erroneous or contrary to law.
2. The report and recommendation was adopted because it was neither clearly erroneous nor contrary to law.
3. The case was dismissed without prejudice.

KEY QUOTATIONS

"Because the Court reviewed the R&R for plain error and concludes the R&R is neither clearly erroneous nor contrary to law, the R&R [62] is ADOPTED as the order of this Court."

"This case is DISMISSED without prejudice."

FACTUAL BACKGROUND

The opinion contains no substantive underlying facts concerning the parties' dispute. The material procedural fact is that Magistrate Judge Roy Percy issued a report and recommendation recommending dismissal without prejudice, and no party objected after receiving notice of the objection deadline and consequences.

PROCEDURAL HISTORY

On February 23, 2026, Magistrate Judge Roy Percy issued a report and recommendation recommending dismissal without prejudice and warning of the consequences of failing to object. The parties filed no objections. The district court reviewed the recommendation for plain error, determined that it was neither clearly erroneous nor contrary to law, adopted it, and dismissed the case without prejudice.

DISPOSITION

dismissed

CASES CITED

- *Douglass v. United States Auto. Ass'n*, 79 F.3d 1415, 1428–29 (5th Cir. 1996)

- Ortiz v. City of S.A. Fire Dep't, 806 F.3d 822, 825 (5th Cir. 2015)
- United States ex rel. Steury v. Cardinal Health, Inc., 735 F.3d 202, 205 n.2 (5th Cir. 2013)
- United States v. Alaniz, 278 F. Supp. 3d 944, 948 (S.D. Tex. 2017)
- United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir. 1989)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI OXFORD DIVISION BRITTANY DETTOR; PLAINTIFFS JONATHAN DETTOR; and JOHNNY DETTOR V. NO. 3:25-CV-10-DMB-RP GREASE MONKEY INTERNATIONAL, LLC DEFENDANT ORDER On February 23, 2026, United States Magistrate Judge Roy Percy issued a report (“R&R”) recommending that this case be dismissed without prejudice.

Doc. #62. The R&R warned that ““a party’s failure to file written objections to the proposed findings, conclusions and recommendation in a magistrate judge’s report and recommendation within [14] days after being served with a copy shall bar that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court.” Id. at PageID 288 (quoting *Douglass v. United States Auto.*

Ass’n, 79 F.3d 1415, 1428–29 (5th Cir. 1996). No objections to the R&R were filed. Under 28 U.S.C. § 636(b)(1)(C), “[a] judge of the court shall make a de novo determination of those portions of the report ... to which objection is made.” “[P]lain error review applies where, as here, ‘a party did not object to a magistrate judge’s findings of fact, conclusions of law, or recommendation to the district court’ despite being ‘served with notice of the consequences of failing to object.’” *Ortiz v. City of S.A.*

Fire Dep’t, 806 F.3d 822, 825 (5th Cir. 2015) (quoting *United States ex rel. Steury v. Cardinal Health, Inc.*, 735 F.3d 202, 205 n.2 (5th Cir. 2013)). “[W]here there is no objection, the Court need only determine whether the [R&R] is clearly erroneous or contrary to law.” *United States v. Alaniz*, 278 F. Supp. 3d 944, 948 (S.D. Tex. 2017) (citing *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.

1989)). Because the Court reviewed the R&R for plain error and concludes the R&R is neither clearly erroneous nor contrary to law, the R&R [62] is ADOPTED as the order of this Court. This case is DISMISSED without prejudice. SO ORDERED, this 17th day of March, 2026. /s/Debra M. Brown UNITED STATES DISTRICT JUDGE