

**UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA**

Paul Kristen Mitchell v. Tommy Sharp

No. CIV-26-00163-JD (W.D. Okla. Mar. 12, 2026) · No. CIV-26-00163-JD · Decided March 12, 2026

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA PAUL KRISTEN MITCHELL,)) Petitioner,)) v.) Case No. CIV-26-00163-JD) TOMMY SHARP,)) Respondent.) ORDER ADOPTING REPORT AND RECOMMENDATION Before the Court is Judge Chris M. Stephens's Report and Recommendation [Doc. No. 5] recommending that (1) Petitioner Paul Kristen Mitchell's Motion for Leave to Proceed in forma pauperis [Doc.

No. 2] be denied, and (2) Mr. Mitchell be ordered to pay the \$5.00 filing fee in full to the Clerk of Court within twenty-one (21) days of this Court's Order adopting the Report and Recommendation. [Doc. No. 5 at 2]. Judge Stephens advised Mr. Mitchell that he may file an objection to the Report and Recommendation with the Clerk of Court by March 2, 2026, and that failure to timely object to the Report and Recommendation waives the right to appellate review of both factual and legal issues contained in the Report and Recommendation.

[Id.]. See also 28 U.S.C. § 636. The record reflects that no objection to the Report and Recommendation has been filed by the deadline, and no extension of time to object has been requested. See *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991) (explaining that the Tenth Circuit's "firm waiver rule" "provides that the failure to make timely objection to the magistrate [judge]'s findings or recommendations waives appellate review of both factual and legal questions").

The Court therefore ACCEPTS and ADOPTS the Report and Recommendation [Doc. No. 5] in its entirety for the reasons stated therein. Mr. Mitchell's Motion for Leave to Proceed in forma pauperis [Doc. No. 2] is DENIED. Mr. Mitchell is ORDERED to pay the filing fee of \$5.00 in full to the Clerk of Court within twenty-one (21) days of this Order, or no later than April 2, 2026.

Should Mr. Mitchell fail to comply with this Order and pay the \$5.00 filing fee to the Clerk of Court in full by the deadline of April 2, 2026, the Court will dismiss this action without prejudice, without further warning by the Court. IT IS SO ORDERED this 12th day of March 2026.
UNITED STATES DISTRICT JUDGE