

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

**Trenton Espinoza v. Officer C. Gulickson, et al.**

Espinoza · No. CIV-25-1149-HE · Decided January 8, 2026

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**OPINION**

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA TRENTON ESPINOZA, ) ) Plaintiff, ) ) -vs- ) NO. CIV-25-1149-HE ) OFFICER C. GULICKSON, et al., ) ) Defendants. ) ORDER On November 6, 2025, United States Magistrate Judge Chris M. Stephens issued a Report and Recommendation [Doc. #8], recommending plaintiff's complaint, in its entirety, be dismissed without prejudice.

He advised that adoption of the recommended ruling would moot the pending motions, [Doc. #2, Doc. #5, and Doc. #6]. In addition, Magistrate Judge Stephens specifically advised plaintiff of the right to object to the Report and Recommendation as well as the consequences for failure to timely object. Any objection was due by December 1, 2025.

On December 5, 2025, at the court's direction, an enter order [Doc. #10] was issued directing the clerk of the court to mail the Report and Recommendation to plaintiff at his updated address<sup>1</sup> and extending the deadline for plaintiff to file any objections to the Report and Recommendation to December 29, 2025. <sup>1</sup> Plaintiff had filed a notice of change of address on November 17, 2025.

See [Doc. #9]. To date, plaintiff has not filed any objection. Plaintiff therefore has waived the right to appellate review of the factual and legal issues addressed in the Report and Recommendation. See *Moore v. United States*, 950 F.2d 656, 659 (10<sup>th</sup> Cir. 1991).

Accordingly, the court ADOPTS the Report and Recommendation [Doc. #8]. Plaintiff's complaint, in its entirety, is DISMISSED WITHOUT PREJUDICE. In light of the court's ruling, the pending motions [Doc. #2, Doc. #5, and Doc. #6] are STRICKEN as MOOT. A separate judgment will be entered. IT IS SO ORDERED. Dated this 8th day of January, 2026. ~ STATES DISTRICT JUDGE