

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA

Elijah S. Harris v. Caddo County Sheriff's Department, et al.

Harris · No. CIV-25-1541-PRW · Decided May 20, 2026

SUMMARY

The United States District Court for the Western District of Oklahoma adopts a magistrate judge’s Report and Recommendation recommending dismissal under Federal Rule of Civil Procedure 41(b) for failure to comply with court orders. Because the plaintiff filed no timely objections, the court finds that he waived appellate review and dismisses the action without prejudice.

CASE DETAILS

COURT	United States District Court for the Western District of Oklahoma
WRITING FOR THE COURT	Patrick R. Wyrick
JURISDICTION	United States District Court for the Western District of Oklahoma
DECIDED	May 20, 2026
DOCKET	CIV-25-1541-PRW
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending dismissal without prejudice for failure to comply with court orders. Plaintiff filed no objections.
STANDARD OF REVIEW	The district court reviewed the Report and Recommendation after the expiration of the objection period and adopted it upon review.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status not stated in the opinion.
PARTIES	Elijah S. Harris v. Caddo County Sheriff's Department, et al.

TOPICS

- appellate procedure
- preservation of error
- civil procedure
- prisoners rights

PRACTICE AREAS

- civil procedure
- civil rights
- appellate procedure

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's Report and Recommendation when the plaintiff filed no timely objections.
2. Whether the action should be dismissed without prejudice under Federal Rule of Civil Procedure 41(b) for failure to comply with court orders.

HOLDINGS

1. A plaintiff who fails to make a timely objection to a Report and Recommendation waives the right to appellate review of the factual and legal issues addressed in that recommendation.
2. The action should be dismissed without prejudice under Federal Rule of Civil Procedure 41(b) because Plaintiff failed to comply with the court's orders.

FACTUAL BACKGROUND

Plaintiff Elijah S. Harris failed to comply with the court's orders. The magistrate judge recommended dismissal without prejudice under Federal Rule of Civil Procedure 41(b). Plaintiff did not file objections to the Report and Recommendation by the court-ordered deadline.

PROCEDURAL HISTORY

On February 2, 2026, Magistrate Judge Amanda Maxfield issued a Report and Recommendation under 28 U.S.C. § 636(b)(1), recommending dismissal under Federal Rule of Civil Procedure 41(b). Plaintiff was given until February 23, 2026, to object but filed no objections. The district court adopted the Report and Recommendation in full and dismissed the action without prejudice.

DISPOSITION

dismissed

CASES CITED

- Moore v. United States, 950 F.2d 656, 659 (10th Cir. 1991)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA ELIJAH S. HARRIS,)) Plaintiff,)) v.) Case No. CIV-25-1541-PRW) CADDO COUNTY SHERIFF'S) DEPARTMENT, et al.,)) Defendants.) ORDER On February 2, 2026, United States Magistrate Judge Amanda Maxfield issued a Report and Recommendation (Dkt. 5) in this action, in which she recommends that the Court dismiss this case without prejudice pursuant to Federal Rule of Civil Procedure 41(b) for Plaintiff Elijah S. Harris's failure to comply with the Court's orders.

Judge Maxfield advised Plaintiff of his right to object to the Report and Recommendation by February 23, 2026, in accordance with 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b)(2), and that failure to make a timely objection would waive any right to appellate review of the factual and legal issues addressed in the Report and Recommendation.

To date, Plaintiff has filed no objections. He has therefore waived his right to appellate review of the factual and legal issues addressed in the Report and Recommendation.¹ Upon review, the Court ADOPTS the Report and Recommendation (Dkt. 5) in full and DISMISSES the case WITHOUT PREJUDICE. ¹ Moore v. United States, 950 F.2d 656, 659 (10th Cir. 1991). IT IS SO ORDERED this 20th day of May 2026.

PATRICK R. WYRICK UNITED STATES DISTRICT JUDGE