

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
LOUISIANA

Yu Hin Chan v. Karen May Bacdayan

Chan · No. No. 25-1959 · Decided March 10, 2026

SUMMARY

The United States District Court for the Eastern District of Louisiana adopts a magistrate judge’s Report and Recommendation after the plaintiff filed no objections. The court dismisses Yu Hin Chan’s pro se, in forma pauperis complaint without prejudice.

CASE DETAILS

COURT	United States District Court for the Eastern District of Louisiana
WRITING FOR THE COURT	Sarah S. Vance
JURISDICTION	United States District Court for the Eastern District of Louisiana
DECIDED	March 10, 2026
DOCKET	No. 25-1959
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending dismissal without prejudice. Because plaintiff filed no objections, the district court reviewed the recommendation for clear error and adopted it.
STANDARD OF REVIEW	Clear-error review applies when no timely objection is filed to a magistrate judge's Report and Recommendation.
PRECEDENTIAL VALUE	Unknown
PARTIES	Yu Hin Chan v. Karen May Bacdayan

TOPICS

- civil procedure
- pleadings
- motions to dismiss

PRACTICE AREAS

- civil procedure

QUESTIONS PRESENTED

1. What standard of review applies when a party does not object to a magistrate judge's Report and Recommendation?
2. Whether the Report and Recommendation recommending dismissal without prejudice should be adopted.

HOLDINGS

1. When no timely objection is filed to a magistrate judge's Report and Recommendation, the district court reviews the recommendation for clear error on the face of the record.
2. The Report and Recommendation was properly adopted because the court found no clear error, and the complaint was dismissed without prejudice.

KEY QUOTATIONS

“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”

FACTUAL BACKGROUND

Yu Hin Chan filed a pro se action in forma pauperis. The magistrate judge recommended that the complaint be dismissed without prejudice. Chan filed no objection to the recommendation.

PROCEDURAL HISTORY

Plaintiff filed a pro se, in forma pauperis action on September 19, 2025. On February 11, 2026, Magistrate Judge Eva J. Dossier recommended dismissal without prejudice. Plaintiff did not object, and the district court found no clear error, adopted the Report and Recommendation, and dismissed the complaint without prejudice.

DISPOSITION

dismissed

CASES CITED

- *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc)

OPINION

Chan

PER CURIAM.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA

YU HIN CHAN CIVIL ACTION

VERSUS NO. 25-1959

KAREN MAY BACDAYAN SECTION “R” (3)

ORDER AND REASONS

Plaintiff Yu Hin Chan, filed this pro se and in forma pauperis action on September 19, 2025.¹ On February 11, 2026, Magistrate Judge Eva J. Dossier issued a Report and Recommendation (“R&R”), recommending that the Court dismiss plaintiff’s complaint without prejudice.² Plaintiff did not object to the R&R. Therefore, the Court reviews the R&R for clear error. See *Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc), superseded by statute on other grounds, 28 U.S.C. § 636(b)(1); see also Fed. R. Civ. P. 72(b) advisory committee’s note (1983) (“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”). The Court finds no clear error. 1 R. Doc. 1. 2 R. Doc. 6. Accordingly, the Court adopts Magistrate Judge Dossier’s R&R as its opinion. Chan’s complaint is DISMISSED WITHOUT PREJUDICE. New Orleans, Louisiana, this _10th_ day of March, 2026. Lerwk Varvee

SARAH S. VANCE

UNITED STATES DISTRICT JUDGE