

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA

James R. Blanchard v. Garfield Co. Court et al.

Blanchard · No. CIV-24-450-G · Decided March 10, 2026

SUMMARY

The United States District Court for the Western District of Oklahoma overruled Plaintiff James R. Blanchard's objection to a magistrate judge's Report and Recommendation. The court adopted the recommendation, dismissed the prisoner's civil rights complaint without prejudice under 28 U.S.C. § 1915A based on immunity and Heck v. Humphrey, and denied subsequent motions as moot.

OPINION

Blanchard

PER CURIAM.

UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF OKLAHOMA

JAMES R. BLANCHARD,)

) Plaintiff,)) v.) Case No. CIV-24-450-G) GARFIELD CO. COURT et al.,)) Defendants.)

ORDER

Plaintiff James R. Blanchard, a state prisoner appearing pro se, initiated this federal civil rights action on May 3, 2024. See Compl. (Doc. No. 1). In accordance with 28 U.S.C. § 636(b)(1), the matter was referred to Magistrate Judge Suzanne Mitchell for preliminary review. On November 21, 2024, Judge Mitchell issued a Report and Recommendation (Doc. No. 28) recommending that Plaintiff's claims be dismissed on screening pursuant to 28 U.S.C. § 1915A for failure to state a claim upon which relief can be granted. Specifically, Judge Mitchell found that two of the named defendants are entitled to immunity and that Plaintiff's remaining claims are barred pursuant to Heck v. Humphrey, 512 U.S. 477 (1994). See R. & R. at 6-11.

Plaintiff has filed an Objection to the R. & R. See Doc. No. 31. Pursuant to controlling authority, the Court reviews de novo the portions of the R. & R. to which specific objections have been made. See United States v. 2121 E. 30th St., 73 F.3d 1057, 1060 (10th Cir. 1996); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3). Plaintiff's Objection largely reurges the merit of his legal claims and points to alleged errors by the state courts in his prior attempts to obtain relief. See Pl.'s Obj. at 1-

2. Nothing therein evinces any error in Judge Mitchell's specific findings regarding either immunity or Heck or in the R. & R.'s conclusion that Plaintiff fails to plausibly plead a claim for

relief in the instant action. See R. & R. at 6-11; 28 U.S.C. § 1915A(b)(1), (2). Accordingly, Plaintiff's Objection is overruled.

CONCLUSION

Accordingly, the Report and Recommendation (Doc. No. 28) is ADOPTED in its entirety. The Complaint (Doc. No. 1) is DISMISSED without prejudice. Plaintiff's subsequent Motions (Doc. No. 34) are DENIED as moot in light of this determination. A separate judgment shall be entered. IT IS SO ORDERED this 10th day of March, 2026. (Vaal B. Kodo United States District Judge