

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
MISSISSIPPI, NORTHERN DIVISION

Lenora Page v. Foremost Insurance Company Grand Rapids,
Michigan

Page · No. 3:26-CV-3-KHJ-MTP · Decided June 8, 2026

SUMMARY

The United States District Court for the Southern District of Mississippi adopts a magistrate judge’s Report and Recommendation and dismisses Lenora Page’s action against Foremost Insurance Company without prejudice. The dismissal is based on Page’s failure to prosecute the case and comply with court orders, and no party filed timely objections.

CASE DETAILS

COURT	United States District Court for the Southern District of Mississippi, Northern Division
JURISDICTION	United States District Court for the Southern District of Mississippi, Northern Division
DECIDED	June 8, 2026
DOCKET	3:26-CV-3-KHJ-MTP
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed and adopted a magistrate judge's report and recommendation recommending dismissal without prejudice for failure to prosecute and failure to comply with court orders.
STANDARD OF REVIEW	When no timely objection is made to a magistrate judge's report and recommendation, the district court reviews the report under the clearly erroneous, abuse of discretion, and contrary to law standard rather than conducting de novo review.
PRECEDENTIAL VALUE	unknown
PARTIES	Lenora Page v. Foremost Insurance Company Grand Rapids, Michigan

TOPICS

- civil procedure
- appellate procedure
- standard of review
- insurance

PRACTICE AREAS

civil procedure

insurance litigation

QUESTIONS PRESENTED

1. What standard of review applies when no party timely objects to a magistrate judge's report and recommendation?
2. Whether the magistrate judge's recommendation to dismiss the action without prejudice for failure to prosecute and failure to comply with court orders should be adopted.

HOLDINGS

1. When no party timely objects to a magistrate judge's report and recommendation, the district court reviews the recommendation under the clearly erroneous, abuse of discretion, and contrary to law standard rather than de novo review.
2. The court adopted the magistrate judge's report and recommendation and dismissed the action without prejudice because Plaintiff failed to prosecute the case and comply with court orders.

KEY QUOTATIONS

“When no party timely objects to the report, the Court applies ‘the ‘clearly erroneous, abuse of discretion and contrary to law’ standard of review.””

FACTUAL BACKGROUND

Pro se Plaintiff Lenora Page failed to prosecute the case and failed to comply with the court's orders. The magistrate judge recommended dismissal without prejudice. Page did not file written objections to the report and recommendation by the court-ordered deadline.

PROCEDURAL HISTORY

Magistrate Judge Michael T. Parker issued a report and recommendation recommending dismissal without prejudice because pro se Plaintiff Lenora Page failed to prosecute the action and comply with court orders. The parties were notified that objections were due by June 1, 2026, but no objections were filed. The district court adopted the report and recommendation and dismissed the action without prejudice.

DISPOSITION

dismissed

CASES CITED

- United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam)

OPINION

Page

PER CURIAM.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF MISSISSIPPI

NORTHERN DIVISION

LENORA PAGE PLAINTIFF

V. CIVIL ACTION NO. 3:26-CV-3-KHJ-MTP

FOREMOST INSURANCE COMPANY DEFENDANT

GRAND RAPIDS, MICHIGAN

ORDER

Before the Court is Magistrate Judge Michael T. Parker's [13] Report and Recommendation. The [13] Report recommends dismissing this action without prejudice because pro se Plaintiff Lenora Page ("Page") failed to prosecute the case or comply with the Court's orders. R. & R. [13] at 3. The Court adopts the [13] Report. Written objections to the [13] Report were due by June 1, 2026. at 3. The [13] Report notified the parties that failure to file written objections by that date would bar further appeal in accordance with 28 U.S.C. § 636. No party objected to the [13] Report, and the time to do so has passed. The Court must review de novo a magistrate judge's report only when a party objects to the report within 14 days after being served with a copy. 28 U.S.C. § 636(b)(1). When no party timely objects to the report, the Court applies "the 'clearly erroneous, abuse of discretion and contrary to law' standard of review." , 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam). Finding the [13] Report neither clearly erroneous, contrary to law, nor an abuse of discretion, the Court adopts it and dismisses this case without prejudice. In doing so, the Court has considered all arguments raised. Those arguments not addressed would not have altered the Court's decision. The Court will enter a separate final judgment consistent with this Order. SO ORDERED, this 8th day of June, 2026. s/

UNITED STATES DISTRICT JUDGE