

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
ARKANSAS, EL DORADO DIVISION

Raymond Douglas Hardy v. Captain Lisa Worley and Sheriff Ricky
Roberts

Hardy · No. 1:26-cv-01019 · Decided June 5, 2026

SUMMARY

The United States District Court for the Western District of Arkansas adopted a magistrate judge’s Report and Recommendation and dismissed Raymond Douglas Hardy’s 42 U.S.C. § 1983 action without prejudice. The court concluded that Hardy’s allegations concerning interference with legal mail did not establish a constitutional violation, an official-capacity policy or custom, or an actual injury supporting an access-to-the-courts claim.

CASE DETAILS

COURT	United States District Court for the Western District of Arkansas, El Dorado Division
WRITING FOR THE COURT	John Thomas Shepherd
JURISDICTION	United States District Court for the Western District of Arkansas, El Dorado Division
DECIDED	June 5, 2026
DOCKET	1:26-cv-01019
DISPOSITION	dismissed
PROCEDURAL POSTURE	Review of a magistrate judge's report and recommendation following preservice screening of a prisoner civil-rights complaint under 28 U.S.C. § 1915A.
STANDARD OF REVIEW	De novo review applies to portions of a magistrate judge's report and recommendation to which timely and specific objections are made; portions without specific objections are reviewed for clear error. Pro se objections are liberally construed.
PRECEDENTIAL VALUE	district court order; precedential status unknown
PARTIES	Raymond Douglas Hardy v. Captain Lisa Worley, Sheriff Ricky Roberts

TOPICS

section 1983

prisoners rights

first amendment

civil procedure

motions to dismiss

PRACTICE AREAS

prisoner civil rights

federal civil procedure

constitutional law

QUESTIONS PRESENTED

1. Whether Hardy's objections to the magistrate judge's report and recommendation required de novo review or demonstrated error warranting rejection of the recommendation.
2. Whether Hardy stated a constitutional claim based on the alleged opening or answering of mail sent to a federal district court.
3. Whether Hardy stated an official-capacity claim under 42 U.S.C. § 1983 by alleging that a policy, procedure, or custom caused the constitutional violation.
4. Whether Hardy stated a First Amendment access-to-the-courts claim by alleging actual injury to a nonfrivolous and arguably meritorious underlying legal claim.

HOLDINGS

1. Timely and specific objections trigger de novo review, while portions of a report and recommendation to which no specific objections are made are reviewed for clear error; Hardy's objections did not engage with the recommendation or demonstrate factual or legal error.
2. The complaint failed to state a constitutional claim because Hardy did not allege that the mail opened or answered by the defendants was privileged legal mail.
3. Hardy failed to state official-capacity claims because he did not allege facts establishing that a policy, procedure, or custom of the Union County Detention Center caused the alleged constitutional violation.
4. Hardy failed to state an access-to-the-courts claim because he did not allege that the defendants' actions prevented him from litigating a nonfrivolous and arguably meritorious claim concerning his sentence or conditions of confinement and resulted in an actual injury.

KEY QUOTATIONS

“Generally, “objections must be timely and specific” to trigger de novo review.” (Discussion)

“the hindrance of a nonfrivolous and arguably meritorious underlying legal claim” (Discussion n.1)

FACTUAL BACKGROUND

Hardy, an inmate at the Union County Detention Center, alleged that Captain Worley opened or answered mail addressed to a federal district court and that Sheriff Roberts was implicated because the mail was returned on Union County letterhead. He sought monetary damages and other relief, asserting official-capacity claims under 42 U.S.C. § 1983. He did not allege that the mail was privileged legal mail, that a policy or custom caused the alleged violation, or that the defendants' conduct caused an actual injury to a nonfrivolous legal claim.

PROCEDURAL HISTORY

Hardy filed a 42 U.S.C. § 1983 complaint alleging that Captain Lisa Worley and Sheriff Ricky Roberts interfered with his legal mail and asserting official-capacity claims. Magistrate Judge Spencer G. Singleton recommended dismissal under 28 U.S.C. § 1915A(b)(1). Hardy filed timely objections, but the district court concluded that the objections did not identify factual or legal error, adopted the recommendation in full, and dismissed the action without prejudice.

DISPOSITION

dismissed

CASES CITED

- Anderson v. Evangelical Lutheran Good Samaritan Soc’y, 308 F. Supp. 3d 1011, 1015 (N.D. Iowa 2018)
- Thompson v. Nix, 897 F.2d 356, 358-59 (8th Cir. 1990)
- Hudson v. Gammon, 46 F.3d 785, 786 (8th Cir. 1995)
- Grinder v. Gammon, 73 F.3d 793, 795 (8th Cir. 1996)
- Gardner v. Howard, 109 F.3d 427, 430 (8th Cir. 1997)
- Gorman v. Bartch, 152 F.3d 907, 914 (8th Cir. 1998)
- Hartsfield v. Nichols, 511 F.3d 826, 831 (8th Cir. 2008)

OPINION

IN THE UNITED STATES DISTRICT COURT WESTERN DISTRICT OF ARKANSAS EL DORADO DIVISION RAYMOND DOUGLAS HARDY PLAINTIFF v. Case No. 1:26-cv-01019 CAPTAIN LISA WORLEY; and SHERIFF RICKY ROBERTS DEFENDANTS ORDER Before the Court is the Report and Recommendation filed on May 15, 2026, by the Honorable Spencer G. Singleton, United States Magistrate Judge for the Western District of Arkansas.

ECF No. 8. Judge Singleton conducted a preservice screening of Plaintiff Raymond Douglas Hardy’s Complaint and now recommends that the Court dismiss the case pursuant to 28 U.S.C. § 1915A(b)(1). Plaintiff objects. ECF No. 9.

I. BACKGROUND Plaintiff, an inmate at the Union County Detention Center (“UCDC”), filed this lawsuit on April 16, 2026, pursuant to 42 U.S.C. § 1983. ECF No. 1. Plaintiff claims that Defendants Captain Lisa Worley and Sheriff Ricky Roberts interfered with his legal mail. *Id.* at 4-6. Specifically, Plaintiff alleges that Defendant Worley answered “[a] good faith motion” that was “sent to District Courts.” *Id.* at 4.

Plaintiff further alleges that Defendant Worley answered the “mail that wasn’t address to her” and “returned [what Plaintiff] was asking [the] District [Court] for... on a letter head stating Ricky Roberts Union County Letter Head.” *Id.* at 6. Plaintiff claims that this fact “bring[s] the Sheriff

[Defendant Roberts] into this matter.” Id. Plaintiff alleges that he was injured when Defendant Worley “answered mail that was not address to her my legal mail.” Id. Plaintiff asserts official capacity claims against both Defendants.

Id. at 5. He requests twenty million dollars in monetary damages and that the postmaster general “be informed.” Id. at 7, 9. Judge Singleton conducted a preservice screening of Plaintiff’s Complaint pursuant to 28 U.S.C. § 1915A(a) and issued the instant Report and Recommendation. Judge Singleton recommends that the Court dismiss Plaintiff’s Complaint because the opening of mail to and from United States District Courts does not give rise to a constitutional violation.

ECF No. 8, at 4. Plaintiff objects. ECF No. 9. II. DISCUSSION The Court may designate a magistrate judge to hear pre- and post-trial matters and to submit to the Court proposed findings of fact and recommendations for disposition. 28 U.S.C. § 636(b)(1). Within fourteen days of receipt of a magistrate judge’s report and recommendation, “a party may serve and file specific written objections to the proposed findings and recommendations.” Fed.

R. Civ. P. 72(b)(2); accord Local Rule 72.1(VII)(B). After conducting an appropriate review of the report and recommendation, the Court may then “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge... or recommit the matter to the magistrate judge with instructions.” 28 U.S.C. § 636(b)(1). “[T]he specific standard of review depends, in the first instance, upon whether or not a party has objected to portions of the report and recommendation.” *Anderson v. Evangelical Lutheran Good Samaritan Soc’y*, 308 F. Supp. 3d 1011, 1015 (N.D.

Iowa 2018). Generally, “objections must be timely and specific” to trigger de novo review. *Thompson v. Nix*, 897 F.2d 356, 358-59 (8th Cir. 1990). The Court applies a liberal construction when determining whether pro se objections are specific. *Hudson v. Gammon*, 46 F.3d 785, 786 (8th Cir. 1995). A “clearly erroneous” standard of review applies to the portions of a magistrate judge’s report and recommendation to which no objections have been made.

See *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996); see also Fed. R. Civ. P. 72 advisory committee’s note, subd. (b) (instructing a reviewing court to “satisfy itself that there is no clear error on the face of the record”).

On May 27, 2026, Plaintiff filed timely objections. ECF No. 9. Plaintiff’s objections do not engage with Judge Singleton’s findings and recommendations or show any error of fact or law therein. Plaintiff restates that his “good faith motion” was addressed to the District Court “and not to Captain Lisa Worley.” Id. at 1. Plaintiff states that he “can prove” that Defendant Worley answered a “letter that wasn’t address[ed] to her.” Id. at 2.

However, Plaintiff does not allege that the letter which Defendants Worley and Roberts opened was privileged legal mail.¹ See *Gardner v. Howard*, 109 F.3d 427, 430 (8th Cir. 1997) (defining

privileged legal mail as “mail to or from an inmate’s attorney and identified as such”). Plaintiff also does not allege any facts establishing that a policy, procedure or custom of UCDC caused his alleged constitutional violation.

See *Gorman v. Bartch*, 152 F.3d 907, 914 (8th Cir. 1998) (explaining that claims against individuals in their official capacities are equivalent to claims against the entity for which they work and require proof that a policy or custom of that entity violated a plaintiff’s rights).

In the absence of specific objections, the Court finds no clear error on the face of the record with respect to Judge Singleton’s recommendations and will adopt them. See *Grinder*, 73 F.3d at 795. 1 The Court also finds that Plaintiff failed to state a First Amendment access to the courts claim because he does not allege that Defendants’ actions prevented him from “litigat[ing] a claim challenging [his] sentence or conditions of confinement in a court of law, which resulted in an actual injury.” See *Hartsfield v. Nichols*, 511 F.3d 826, 831 (8th Cir.

2008) (defining actual injury as “the hindrance of a nonfrivolous and arguably meritorious underlying legal claim”). III. CONCLUSION Accordingly, the Court finds that the Report and Recommendation (ECF No. 8) should be and hereby is ADOPTED in toto. This case is hereby DISMISSED WITHOUT PREJUDICE. IT IS SO ORDERED, this 5th day of June, 2026. /s/ John Thomas Shepherd John Thomas Shepherd United States District Judge