

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF  
OKLAHOMA

Ronald Denglo Bledsoe v. Mykel Fry, et al.

Bledsoe · No. CIV-25-1071-PRW · Decided December 5, 2025

SUMMARY

The United States District Court for the Western District of Oklahoma adopted the magistrate judge’s Report and Recommendation and dismissed Ronald Denglo Bledsoe’s civil rights complaint without prejudice. The dismissal was based on Bledsoe’s failure to timely pay the filing fee or submit an application to proceed in forma pauperis, and his failure to object to the recommendation waived appellate review of the addressed issues.

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               | December 5, 2025                                                                                                                                                                                                                                                                                                                                                               |
| DOCKET                | CIV-25-1071-PRW                                                                                                                                                                                                                                                                                                                                                                |
| DISPOSITION           | dismissed                                                                                                                                                                                                                                                                                                                                                                      |
| PROCEDURAL POSTURE    | The district court reviewed a magistrate judge's Report and Recommendation recommending dismissal of Plaintiff's civil rights complaint without prejudice for failure to pay the filing fee or submit an application to proceed in forma pauperis. Plaintiff filed no objections.                                                                                              |
| STANDARD OF REVIEW    | Because no objections were filed, the district court held that Plaintiff waived appellate review of the factual and legal issues addressed in the Report and Recommendation. The court noted that 28 U.S.C. § 636(b) (1) requires de novo review of portions to which a timely objection is made but otherwise permits review under a standard selected by the district judge. |
| PRECEDENTIAL VALUE    | Unpublished district court order; precedential status is unknown.                                                                                                                                                                                                                                                                                                              |
| PARTIES               | Ronald Denglo Bledsoe v. Mykel Fry, et al.                                                                                                                                                                                                                                                                                                                                     |

TOPICS

appellate procedure

waiver

civil procedure

section 1983

prisoners rights

## PRACTICE AREAS

civil rights

federal civil procedure

prisoner litigation

## QUESTIONS PRESENTED

1. Whether Plaintiff's failure to timely object to the magistrate judge's Report and Recommendation waived appellate review of the factual and legal issues addressed in it.
2. Whether the court should adopt the Report and Recommendation and dismiss the civil rights complaint without prejudice for failure to pay the filing fee or seek in forma pauperis status.

## HOLDINGS

1. A party who fails to timely object to a magistrate judge's Report and Recommendation waives appellate review of the factual and legal issues addressed in the recommendation.
2. The complaint was properly dismissed without prejudice because Plaintiff failed to timely pay the required \$405 filing fee or file an application to proceed in forma pauperis.

## KEY QUOTATIONS

*“Having failed to object, Plaintiff has accordingly waived his right to appellate review of the factual and legal issues addressed in the Report and Recommendation (Dkt. 5).”*

*“Accordingly, the Court ADOPTS the Report and Recommendation (Dkt. 5) in full and DISMISSES WITHOUT PREJUDICE Plaintiff's Complaint (Dkt. 1).”*

## FACTUAL BACKGROUND

Plaintiff filed a civil rights complaint but did not timely pay the required \$405 filing fee or file an application to proceed in forma pauperis. The magistrate judge recommended dismissal without prejudice. Plaintiff did not object to the Report and Recommendation by the stated deadline.

## PROCEDURAL HISTORY

Magistrate Judge Amanda Maxfield recommended dismissal of the complaint. Plaintiff was advised of the deadline and consequences of failing to object under 28 U.S.C. § 636 and Federal Rule of Civil Procedure 72. The district court found that Plaintiff waived appellate review by failing to object, adopted the Report and Recommendation in full, and dismissed the complaint without prejudice.

## DISPOSITION

dismissed

## CASES CITED

- United States v. One Parcel of Real Prop., 73 F.3d 1057, 1059–60 (10th Cir. 1996)
- 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 RONALD DENGLO BLEDSOE, ) ) Plaintiff, ) v. ) Case No. CIV-25-1071-PRW ) ) MYKEL FRY, et al., ) ) Defendants. ORDER Before the Court is Magistrate Judge Amanda Maxfield's Report and Recommendation (Dkt. 5), recommending the Court dismiss Plaintiff's civil rights Complaint (Dkt. 1) without prejudice because Plaintiff failed to timely pay the required \$405 filing fee or file an application to proceed in forma pauperis.

Plaintiff was advised that he had a right to object to the Report and Recommendation (Dkt. 5) by November 12, 2025, in accordance with 28 U.S.C. § 636 and Federal Rule of Civil Procedure 72, 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 (Dkt. 5).

No objections have been filed as of this date. Having failed to object, Plaintiff has accordingly waived his right to appellate review of the factual and legal issues addressed in the Report and Recommendation (Dkt. 5).<sup>1</sup> 1 United States v. One Parcel of Real Prop., 73 F.3d 1057, 1059–60 (10th Cir. 1996); Moore v. United States, 950 F.2d 656, 659 (10th Cir. 1991); cf. 28 U.S.C. § 636(b)(1) (requiring a district judge to “make a de novo determination of those portions of the report or specified Accordingly, the Court ADOPTS the Report and Recommendation (Dkt.

5) in full and DISMISSES WITHOUT PREJUDICE Plaintiff's Complaint (Dkt. 1). A separate judgment will follow. IT IS SO ORDERED this Sth day of December 2025. PATRICK R. WYRICK UNITED STATES DISTRICT JUDGE proposed findings or recommendations to which objection is made” but otherwise permitting a district judge to review the report and recommendations under any standard it deems appropriate).