

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TEXAS, TEXARKANA DIVISION

Kedrien Booker v. Buck Taylor, et al.

Booker · No. 5:25-cv-00143-RWS-JBB · Decided March 25, 2026

SUMMARY

The United States District Court for the Eastern District of Texas adopted the magistrate judge’s report and recommendation after Plaintiff Kedrien Booker filed no objections. The court dismissed the civil action without prejudice for failure to obey a court order.

CASE DETAILS

COURT	United States District Court for the Eastern District of Texas, Texarkana Division
WRITING FOR THE COURT	Robert W. Schroeder III
JURISDICTION	United States District Court for the Eastern District of Texas, Texarkana Division
DECIDED	March 25, 2026
DOCKET	5:25-cv-00143-RWS-JBB
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's report and recommendation recommending dismissal without prejudice for failure to obey a court order. The plaintiff filed no objections after receiving the report and recommendation.
STANDARD OF REVIEW	In the absence of objections, the district judge does not conduct de novo review of the magistrate judge's findings and recommendations, and unobjected-to factual findings and legal conclusions are subject to appellate review only for plain error. The court also described the applicable standard as clearly erroneous, abuse of discretion, and contrary to law.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status unknown

TOPICS

- civil procedure
- sanctions
- civil rights
- constitutional law

PRACTICE AREAS

civil procedure

civil rights

constitutional law

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's report and recommendation when the plaintiff received it but filed no objections.
2. Whether the action should be dismissed without prejudice for failure to obey a court order.

HOLDINGS

1. Because Booker filed no objections after receiving the report and recommendation, he was not entitled to de novo review by the district judge and, except for plain error, was barred from appellate review of the unobjected-to factual findings and legal conclusions adopted by the district court.
2. The civil action was properly dismissed without prejudice for failure to obey an order of the court.

KEY QUOTATIONS

"where no objections to a magistrate judge's report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law"" (at 1)

FACTUAL BACKGROUND

Kedrien Booker, proceeding pro se, filed a civil action alleging deprivations of constitutional rights. The magistrate judge recommended dismissal because Booker failed to obey a court order. Booker received the report and recommendation on February 26, 2026, but filed no objections.

PROCEDURAL HISTORY

Plaintiff filed a civil action alleging constitutional-rights violations. The case was referred to a magistrate judge under 28 U.S.C. § 636. The magistrate judge recommended dismissal without prejudice for failure to obey a court order. After the report and recommendation was remailed following an undeliverable mailing and the plaintiff received it, no objections were filed. The district court adopted the report and recommendation and dismissed the action without prejudice.

DISPOSITION

dismissed

CASES CITED

- Duarte v. City of Lewisville, 858 F.3d 348, 352 (5th Cir. 2017)
- Arriaga v. Laxminarayan, No. 4:21-CV-00203-RAS, 2021 WL 3287683, at *1 (E.D. Tex. July 31, 2021)
- United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir. 1989)

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