

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
OHIO

Duan B. Lattimore, Jr. v. Tri-State Auto Sales, Cincinnati Premier
Finance, Glick Management, Joseph Glick, and EZ Tow

Lattimore · No. 1:25-cv-00401 · Decided January 20, 2026

SUMMARY

The United States District Court for the Southern District of Ohio adopted a magistrate judge's Report and Recommendation and dismissed Duan B. Lattimore Jr.'s action with prejudice. The court concluded that Plaintiff's objections were largely insufficient, abstention under Younger was appropriate because parallel state proceedings were ongoing, and the state courts could adjudicate both the state and federal claims.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio
WRITING FOR THE COURT	Jeffery P. Hopkins
JURISDICTION	United States District Court for the Southern District of Ohio
DECIDED	January 20, 2026
DOCKET	1:25-cv-00401
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff objected to a magistrate judge's Report and Recommendation recommending dismissal. The district court conducted de novo review of the portions to which specific objections were made, adopted the Report and Recommendation in its entirety, and dismissed the action with prejudice.
STANDARD OF REVIEW	De novo review of portions of a magistrate judge's Report and Recommendation to which specific objections were made under 28 U.S.C. § 636(b)(1)(C) and Federal Rule of Civil Procedure 72(b)(3). General, vague, or conclusory objections do not trigger de novo review of the challenged portions.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Duan B. Lattimore, Jr. v. Tri-State Auto Sales, Cincinnati Premier Finance, Glick Management, Joseph Glick, EZ Tow

TOPICS

subject matter jurisdiction

civil procedure

waiver

consumer protection

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PRACTICE AREAS

civil procedure

federal jurisdiction

abstention

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contracts

QUESTIONS PRESENTED

1. Whether Lattimore's purported objections were sufficiently specific to require de novo review of the magistrate judge's Report and Recommendation.
2. Whether Younger abstention was appropriate because parallel state-court proceedings were ongoing, implicated important state interests, and provided an adequate opportunity to litigate federal claims.
3. Whether the federal action should be dismissed with prejudice and whether the pending motions should be denied as moot.

HOLDINGS

1. General, vague, or conclusory objections that do not directly address the magistrate judge's findings or recommendations are treated as a failure to object and waive de novo review of those portions.
2. Federal abstention is appropriate when ongoing state judicial proceedings implicate important state interests and provide an adequate opportunity to raise federal claims.
3. State courts are competent to adjudicate and enforce federal claims unless federal law provides otherwise.

KEY QUOTATIONS

“The filing of vague, general, or conclusory objections does not meet the requirement of specific objections and is tantamount to a complete failure to object.” (Section III.1)

“Federal law is enforceable in state courts not because Congress has determined that federal courts would otherwise be burdened or that state courts might provide a more convenient forum . . . but because the Constitution and laws passed pursuant to it are as much laws in the States as laws passed by the state legislature.” (Section III.2)

FACTUAL BACKGROUND

On December 6, 2024, Lattimore purchased a 2018 Buick Envision from defendants and executed a retail installment contract and security agreement requiring eighty-three biweekly payments beginning January 16, 2025. Defendants later repossessed the vehicle, prompting Lattimore to assert state and federal claims based on the repossession and alleged licensing deficiencies. While the federal action was pending, Lattimore filed parallel actions in the Hamilton County Municipal Court and Hamilton County Court of Common Pleas arising from the same event.

PROCEDURAL HISTORY

Lattimore filed a federal action arising from the repossession of his vehicle and later filed an amended complaint. He also filed two parallel state-court actions arising from the same repossession. The magistrate judge recommended dismissal with prejudice for lack of subject matter jurisdiction and failure to state a claim, concluding that Younger abstention was appropriate and that the claims were frivolous. The district court overruled or deemed waived the purported objections, adopted the recommendation, dismissed the action with prejudice, mooted the pending motions, and denied leave to appeal in forma pauperis.

DISPOSITION

dismissed

CASES CITED

- Granader v. Public Bank, 417 F.2d 75, 82-83 (6th Cir. 1969)
- Richards v. Colvin, No. 2:12-cv-748, 2013 WL 5487045, at *1 (S.D. Ohio Sept. 30, 2013)
- Slater v. Potter, 28 F. App'x 512, 513 (6th Cir. 2002)
- Howard v. Secretary of Health & Human Services, 932 F.2d 505, 509 (6th Cir. 1991)
- Miller v. Currie, 50 F.3d 373, 380 (6th Cir. 1995)
- Younger v. Harris, 401 U.S. 37 (1971)
- Peebles v. University of Dayton, 412 F. Supp. 2d 814, 816 (S.D. Ohio 2005)
- Doscher v. Menifee Circuit Court, 75 F. App'x 996, 997 (6th Cir. 2003)
- Hicks v. Miranda, 422 U.S. 332, 349 (1975)
- Howlett v. Rose, 496 U.S. 356, 367 (1990)
- Callihan v. Schneider, 178 F.3d 800, 803 (6th Cir. 1999)