

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
TENNESSEE, NASHVILLE DIVISION

Gloria Morris v. Service Experts Heating and Air Conditioning, LLC

Morris · No. 3:23-cv-642 · Decided February 13, 2026

SUMMARY

The United States District Court for the Middle District of Tennessee adopted a Magistrate Judge’s Report and Recommendation because no timely and proper objections were filed. The court granted the defendant’s motion for summary judgment, entered judgment on the plaintiff’s claims, and awarded the defendant \$10,187.71 on its breach-of-contract counterclaim.

CASE DETAILS

COURT	United States District Court for the Middle District of Tennessee, Nashville Division
WRITING FOR THE COURT	Aleta A. Trauger
JURISDICTION	United States District Court for the Middle District of Tennessee, Nashville Division
DECIDED	February 13, 2026
DOCKET	3:23-cv-642
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a Magistrate Judge's Report and Recommendation after the plaintiff failed to file timely and proper objections. The court accepted the Report and Recommendation, granted the defendant's motion for summary judgment on the plaintiff's claims, granted summary judgment to the defendant on its breach-of-contract counterclaim, and awarded \$10,187.71 in damages.
STANDARD OF REVIEW	The court stated that it must review de novo any portion of a Report and Recommendation to which a proper objection is made, but need not review portions to which no objection is made.
PRECEDENTIAL VALUE	unknown
PARTIES	Gloria Morris v. Service Experts Heating and Air Conditioning, LLC

TOPICS

summary judgment

breach of contract

damages

civil procedure

commercial litigation

PRACTICE AREAS

civil procedure

contracts

commercial litigation

remedies

QUESTIONS PRESENTED

1. Whether the plaintiff's filing constituted a timely and proper objection to the Magistrate Judge's Report and Recommendation.
2. Whether the district court was required to conduct de novo review of portions of the Report and Recommendation to which no proper objection was made.
3. Whether the defendant was entitled to summary judgment on the plaintiff's claims.
4. Whether the defendant was entitled to summary judgment on its breach-of-contract counterclaim and an award of \$10,187.71 in damages.

HOLDINGS

1. The plaintiff's filing was not a proper objection because it documented her inability to find new counsel and attached materials previously relied upon, rather than identifying objections to the Report and Recommendation.
2. Because no timely and proper objections were filed, the district court accepted the Report and Recommendation and made its findings of fact and conclusions of law the findings and conclusions of the court.
3. The defendant's motion for summary judgment was granted, and judgment was entered in the defendant's favor as to the plaintiff's claims.
4. The defendant was granted summary judgment on its breach-of-contract counterclaim and awarded damages of \$10,187.71.

FACTUAL BACKGROUND

The opinion provides little substantive factual detail because it adopts the Magistrate Judge's Report and Recommendation. The defendant asserted a breach-of-contract counterclaim, on which the defendant was awarded \$10,187.71 in damages. The plaintiff also reported that she had been unable to find new counsel and submitted materials previously relied upon in the case.

PROCEDURAL HISTORY

On January 28, 2026, the Magistrate Judge issued a Report and Recommendation, with objections due within fourteen days. The plaintiff filed a submission documenting her inability to find new counsel and attaching materials, but the district court determined that the filing was not a proper objection. Because no timely and proper objections were filed, the court accepted the Report and Recommendation as its findings of fact and conclusions of law, granted summary judgment for the defendant, entered judgment on the counterclaim, and directed the Clerk to enter final judgment under Rule 58.

DISPOSITION

other

CASES CITED

- Thomas v. Arn, 474 U.S. 140, 150 (1985)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION GLORIA MORRIS,)) Plaintiff,)) v.) Civil No. 3:23-cv-642) Judge Trauger SERVICE EXPERTS HEATING AND) AIR CONDITIONING, LLC,)) Defendant.) ORDER On January 28, 2026, the Magistrate Judge issued a Report and Recommendation (Doc No. 56), to which timely objections were due to be filed within 14 days.

Although the plaintiff has made a filing (Doc. No. 61), it cannot be considered an objection to the R&R, in that it simply documents her inability to find new counsel and attaches materials she has relied upon to support her position in this case since the very beginning.

The district court must review de novo any portion of a report and recommendation “that has been properly objected to.” Federal Rule of Civil Procedure 72(b)(3). However, the court is not required to review under any standard those aspects of a report and recommendation to which no objection is made. Thomas v. Arn, 474 U.S. 140, 150 (1985).

As no objections have been timely and properly filed to the R&R, it is hereby ACCEPTED and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, it is hereby ORDERED that the defendant’s Motion for Summary Judgment (Doc. No. 42) is GRANTED, and judgment is hereby entered in the defendant’s favor as to the plaintiff’s claims.

Further, the defendant is granted summary Judgment on its counterclaim for breach of contract and is hereby awarded damages in the amount of \$10,187.71. The Clerk shall enter final judgment in accordance with Rule 58, Federal Rules of Civil Procedure. It is so ORDERED. hil Mid dag —
USS. District Judge