

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
OHIO, WESTERN DIVISION

Kevin Leroy Parrish v. Dennis Fabbro/Scholastic Book Fairs Inc.

Parrish · No. 1:24cv535 · Decided December 1, 2025

SUMMARY

The United States District Court for the Southern District of Ohio adopted a magistrate judge’s Report and Recommendation and dismissed Kevin Leroy Parrish’s action with prejudice for failure to state a claim. The court concluded that it lacked subject-matter jurisdiction over claims arising from Ohio unemployment proceedings and that the plaintiff had not adequately pleaded a wrongful-termination claim. The court also denied leave to appeal in forma pauperis and ordered the matter closed.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio, Western Division
WRITING FOR THE COURT	Michael R. Barrett
JURISDICTION	United States District Court for the Southern District of Ohio, Western Division
DECIDED	December 1, 2025
DOCKET	1:24cv535
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed the Magistrate Judge’s Report and Recommendation recommending dismissal with prejudice for failure to state a claim. After reviewing the plaintiff’s objections de novo, the district court adopted the R&R and dismissed the action with prejudice.
STANDARD OF REVIEW	De novo review of properly made objections to a magistrate judge’s disposition of a dispositive matter under Federal Rule of Civil Procedure 72(b)(3) and 28 U.S.C. § 636(b)(1).
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Kevin Leroy Parrish v. Dennis Fabbro/Scholastic Book Fairs Inc.

TOPICS

subject matter jurisdiction

unemployment benefits

wrongful termination

pleadings

civil procedure

PRACTICE AREAS

civil procedure

employment law

administrative law

QUESTIONS PRESENTED

1. Whether the plaintiff's objections to the Magistrate Judge's Report and Recommendation required de novo review or warranted rejection of the recommendation.
2. Whether a federal district court has jurisdiction to review an adverse decision of the Ohio Unemployment Compensation Review Commission.
3. Whether the plaintiff alleged sufficient facts to state a wrongful-termination claim.

HOLDINGS

1. A district judge must conduct de novo review of those portions of a magistrate judge's dispositive recommendation to which specific objections are properly made; vague, general, or conclusory objections do not satisfy the objection requirement.
2. When a state provides appellate review of a state administrative agency's decision, a federal district court lacks both original jurisdiction and removal jurisdiction over proceedings seeking review of that decision.
3. The plaintiff failed to state a wrongful-termination claim because he did not allege facts supporting any recognized legal theory for such a claim.

KEY QUOTATIONS

“When a state provides for appellate review of a state administrative agency's decision, federal district courts have neither original jurisdiction nor removal jurisdiction over the review proceedings.”

“Accordingly, it is hereby ORDERED that this action be DISMISSED with prejudice for failing to state a claim for relief.”

FACTUAL BACKGROUND

Kevin Leroy Parrish, proceeding pro se, described proceedings before the Ohio Unemployment Compensation Review Commission and sought damages for lost wages and related hardships, including mental stress and financial difficulties. He also appeared to assert a wrongful-termination claim. The order states that Parrish did not allege facts establishing a viable legal theory for wrongful termination.

PROCEDURAL HISTORY

The Magistrate Judge issued a November 7, 2024 Report and Recommendation concluding that the action should be dismissed because the plaintiff's state-law claims did not establish federal subject-matter jurisdiction and failed to state a claim. The plaintiff filed objections on January 2, 2025. The district judge concluded that the

objections were insufficiently specific and, in any event, that the asserted claims could not proceed in federal district court or satisfy the requirements for a wrongful-termination claim.

DISPOSITION

dismissed

CASES CITED

- Miller v. Currie, 50 F.3d 373, 380 (6th Cir. 1995)
- Slater v. Potter, 28 F. App'x 512, 513 (6th Cir. 2002)
- Daniels v. New Prime, Inc., No. 1:13-CV-402, 2013 WL 4776544, at *2 (S.D. Ohio Sept. 6, 2013), report and recommendation adopted, 2013 WL 5470162 (S.D. Ohio Sept. 29, 2013)
- Medina v. Eugenio Painting Co., 90 F. App'x 910, 911 (6th Cir. 2004)
- Saines v. Aging Comm'n of the Mid-S., No. 2:24-CV-02248-SHL-CGC, 2025 WL 241123, at *1 (W.D. Tenn. Jan. 17, 2025)