

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA

Celso Chavez v. Chris West, et al.

Chavez v. West · No. CIV-26-245-PRW · Decided May 20, 2026

SUMMARY

The United States District Court for the Western District of Oklahoma adopts a magistrate judge’s Report and Recommendation and dismisses the pro se plaintiff’s complaint without prejudice. The dismissal is based on failure to follow court orders under Federal Rule of Civil Procedure 42(b), and the plaintiff’s failure to object waives appellate review.

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	May 20, 2026
DOCKET	CIV-26-245-PRW
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending dismissal of Plaintiff's pro se complaint for failure to follow court orders and adopted it after Plaintiff filed no objection.
PRECEDENTIAL VALUE	unpublished
PARTIES	Celso Chavez v. Chris West, et al.

TOPICS

- civil procedure
- sanctions
- pleadings

PRACTICE AREAS

- civil procedure
- prisoner civil rights

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's Report and Recommendation when Plaintiff filed no objection.
2. Whether Plaintiff's complaint should be dismissed without prejudice for failure to follow court orders under Federal Rule of Civil Procedure 42(b).

HOLDINGS

1. The district court adopted the magistrate judge's Report and Recommendation in full because Plaintiff filed no objection and the court agreed with its reasoning and conclusions.
2. Plaintiff's complaint was dismissed without prejudice for failure to follow court orders pursuant to Federal Rule of Civil Procedure 42(b).

KEY QUOTATIONS

“Plaintiff's Complaint (Dkt. 1) is *DISMISSED WITHOUT PREJUDICE*.”

FACTUAL BACKGROUND

The opinion contains no substantive factual allegations concerning the underlying claims. Plaintiff failed to follow court orders, and the Report and Recommendation mailed to him was returned as undeliverable. Plaintiff had not notified the court of a change of address as required by Local Civil Rule 5.4 and filed no objection to the Report and Recommendation.

PROCEDURAL HISTORY

Plaintiff filed a complaint. Magistrate Judge Suzanne Mitchell recommended dismissal under Federal Rule of Civil Procedure 42(b) for failure to follow court orders and advised Plaintiff of the consequences of failing to object. Plaintiff filed no objection, and the district court adopted the Report and Recommendation in full and dismissed the complaint without prejudice.

DISPOSITION

dismissed

CASES CITED

- Moore v. United States, 950 F.2d 656, 659 (10th Cir. 1991)
- United States v. 2121 E. 30th St., 73 F.3d 1057, 1060 (10th Cir. 1996)

OPINION

Celso Chavez v. Chris West, et al.

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA
CELSE CHAVEZ,)

) Plaintiff,)) v.) Case No. CIV-26-245-PRW) CHRIS WEST, et al.,)) Defendants.)

ORDER

Before the Court is Magistrate Judge Suzanne Mitchell's Report and Recommendation (Dkt. 6), recommending pro se Plaintiff's Complaint (Dkt. 1) be dismissed for failure to follow court orders pursuant to Federal Rule of Civil Procedure 42(b). Judge Mitchell advised Plaintiff of his right to object to the Report and Recommendation and that any failure to object would result in a waiver of the right to appellate review.¹ Plaintiff has filed no objection to the Report and Recommendation.² This Court has reviewed Magistrate Judge Mitchell's Report and Recommendation (Dkt. 6) and agrees with the reasoning and conclusions therein. Accordingly, the Court 1 See *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); *United States v. 2121 E. 30th St.*, 73 F.3d 1057, 1060 (10th Cir. 1996). 2 Judge Mitchell's Report and Recommendation was mailed to Plaintiff but was returned as undeliverable. (Dkt. 8). However, Plaintiff has not notified the Court of any changes in his address as required under Local Civil Rule 5.4. hereby ADOPTS the Report and Recommendation (Dkt. 6) in full. Plaintiff's Complaint (Dkt. 1) is DISMISSED WITHOUT PREJUDICE. IT IS SO ORDERED this 20th day of May 2026.

PATRICK R. WYRICK

UNITED STATES DISTRICT JUDGE