

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

Orr Auto, Inc. d/b/a Orr Volkswagen of Texarkana v. Autoplex
Extended Services LLC d/b/a Motor Vehicle Services

Orr Auto · No. 5:24-CV-29-RWS-JBB · Decided December 23, 2025

SUMMARY

The United States District Court for the Eastern District of Texas adopts a magistrate judge’s Report and Recommendation concerning Defendant Autoplex Extended Services LLC’s motion for relief from default judgment. Because no objections were filed, the court reviews the recommendation under the applicable deferential standard and denies the motion.

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	December 23, 2025
DOCKET	5:24-CV-29-RWS-JBB
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved for relief from a default judgment. After the magistrate judge recommended denying the motion and no party objected, the district court adopted the Report and Recommendation and denied the motion.
STANDARD OF REVIEW	In the absence of objections to a magistrate judge's Report and Recommendation, the district court reviews for clear error, abuse of discretion, and whether the recommendation is contrary to law; unobjected-to factual findings and legal conclusions are not subject to de novo review, absent plain error.
PRECEDENTIAL VALUE	Unknown
PARTIES	Autoplex Extended Services LLC d/b/a Motor Vehicle Services v. Orr Auto, Inc. d/b/a Orr Volkswagen of Texarkana

TOPICS

default judgment default civil procedure

PRACTICE AREAS

Civil procedure Commercial litigation Default judgments Federal magistrate judge review

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's Report and Recommendation recommending denial of Defendant's motion for relief from default judgment.
2. What standard of review applies when no objections are filed to a magistrate judge's Report and Recommendation.

HOLDINGS

1. When no objections are filed, the district court need not conduct de novo review of the magistrate judge's proposed findings, conclusions, and recommendations; review is for clear error, abuse of discretion, and whether the recommendation is contrary to law, subject to plain-error limitations on appellate review.
2. The magistrate judge's recommendation to deny Defendant's motion for relief from default judgment was adopted, and the motion was denied.

KEY QUOTATIONS

"Because no objections have been filed, any aggrieved party is barred from de novo review by the District Judge of the Magistrate Judge's proposed findings, conclusions, and recommendations." (at 1)

"Moreover, except upon grounds of plain error, an aggrieved party is barred from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court." (at 1)

"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

The opinion concerns a motion by Autoplex Extended Services LLC for relief from a default judgment entered in favor of Orr Auto, Inc. The magistrate judge recommended denying the motion, and no objections were filed. The district court reviewed the pleadings and Report and Recommendation, found the recommendation correct, adopted it, and denied the motion.

PROCEDURAL HISTORY

The case was referred to Magistrate Judge J. Boone Baxter under 28 U.S.C. § 636. On December 3, 2025, the magistrate judge issued a Report and Recommendation recommending denial of Defendant's motion for relief from default judgment. No objections were filed, and the district court adopted the Report and Recommendation as its opinion and denied the motion.

DISPOSITION

other

CASES CITED

- Duarte v. City of Lewisville, Texas, 858 F.3d 348, 352 (5th Cir. 2017)
- Arriaga v. Laxminarayan, Case 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.)
- United States v. Wilson, 492 U.S. 918 (1989) (cert. denied)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION ORR AUTO, INC. d/b/a ORR § VOLKSWAGEN OF TEXARKANA,
§ § Plaintiff, § § v. § CIVIL ACTION NO. 5:24-CV-29-RWS-JBB § AUTOPLEX EXTENDED
SERVICES § LLC d/b/a MOTOR VEHICLE § SERVICES, § § Defendant. § ORDER Before the
Court is Defendant Autoplex Extended Services LLC’s Motion for Relief from Default Judgment.

Docket No. 40. The above-captioned case was referred to United States Magistrate Judge J. Boone Baxter pursuant to 28 U.S.C. § 636. On December 3, 2025, the Magistrate Judge issued a Report and Recommendation, recommending the denial of Defendant’s motion. Docket No. 51.

As of this date, no objections to the Report and Recommendation have been filed. Because no objections have been filed, any aggrieved party is barred from de novo review by the District Judge of the Magistrate Judge’s proposed findings, conclusions, and recommendations.

Moreover, except upon grounds of plain error, an aggrieved party is barred from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. See Duarte v. City of Lewisville, Texas, 858 F.3d 348, 352 (5th Cir. 2017); Arriaga v. Laxminarayan, Case No. 4:21-CV-00203-RAS, 2021 WL 3287683, at *1 (E.D. Tex. July 31, 2021).

The Court has reviewed the pleadings in this case and the Report and Recommendation of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct. See United States v. Wilson, 864 F.2d 1219, 1221 (Sth Cir.), cert. denied, 492 U.S. 918 (1989) (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”).

Accordingly, it is ORDERED that the Report of the Magistrate Judge (Docket No. 51) is ADOPTED as the opinion of the District Court. It is further ORDERED that Defendant Autoplex Extended Services LLC’s motion (Docket No. 40) is DENIED. So ORDERED and SIGNED this

23rd day of December, 2025. [dohert LU Llpectsr C2. ROBERT W. SCHROEDER III UNITED STATES DISTRICT JUDGE Page 2 of 2

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