

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TEXAS, TYLER DIVISION**

Darwin Fisher v. Taylor Williams

No. 6:25-cv-369-JDK-JDL (E.D. Tex. Feb. 27, 2026) · No. 6:25-cv-369-JDK-JDL · Decided February 27, 2026

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION DARWIN FISHER, #00616375, § § Plaintiff, § § v. § Case No. 6:25-cv-369-
JDK-JDL § TAYLOR WILLIAMS, § § Defendant. § ORDER ADOPTING THE REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE Plaintiff Darwin
Fisher, a prisoner of the Texas Department of Criminal Justice proceeding pro se, filed this lawsuit
pursuant to 42 U.S.C. § 1983 for alleged violations of his civil rights in prison but did not pay the
filing fee.

The case was referred to United States Magistrate Judge John D. Love for findings of fact,
conclusions of law, and recommendations for the disposition of the case. On January 14, 2026,
Judge Love issued a Report recommending that Plaintiff's lawsuit be dismissed for failure to
prosecute because Plaintiff had failed to comply with the Court's order to satisfy the filing fee
requirement and to amend the complaint to cure identified deficiencies.

Docket No. 6. A copy of this Report was mailed to Plaintiff, who did not file objections within the
prescribed period. This Court reviews the findings and conclusions of the Magistrate Judge de
novo only if a party objects within fourteen days of the Report and Recommendation. 28 U.S.C. §
636(b)(1).

In conducting a de novo review, the Court examines the entire record and makes an independent
assessment under the law. *Douglass v. United Servs. Auto. Assn*, 79 F.3d 1415, 1430 (5th Cir.
1996) (en banc), superseded on other grounds by statute, 28 U.S.C. § 636(b)(1) (extending the
time to file objections from ten to fourteen days).

Here, Plaintiff did not object in the prescribed period. The Court therefore reviews the Magistrate
Judge's findings for clear error or abuse of discretion and reviews her legal conclusions to
determine whether they are contrary to law. See *United States v. Wilson*, 864 F.2d 1219, 1221 (5th
Cir. 1989), cert. denied, 492 U.S. 918 (1989) (holding that, if no objections to a Magistrate
Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and
contrary to law.>").

Having reviewed the Magistrate Judge's Report and the record in this case, the Court finds no
clear error or abuse of discretion and no conclusions contrary to law. Accordingly, the Court

hereby ADOPTS the Report and Recommendation of the United States Magistrate Judge (Docket No. 6) as the findings of this Court. It is therefore ORDERED that this case is DISMISSED without prejudice for failure to prosecute.

All pending motions are DENIED as MOOT. So ORDERED and SIGNED this 27th day of February, 2026. JHREMYD. KERN DLE UNITED STATES DISTRICT JUDGE

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