

**UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA**

DeMarcus Williams v. Lawrence W. Parish

Williams v. Parish · No. CIV-25-1059-PRW · Decided December 9, 2025

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA DeMARCUS WILLIAMS,)) Plaintiff,)) v.) Case No. CIV-25-1059-PRW) LAWRENCE W. PARISH,))) Defendant.) ORDER On October 17, 2025, United States Magistrate Judge Suzanne Mitchell issued a Report and Recommendation (Dkt. 8) in this action, in which she recommends that the Court dismiss Plaintiff’s case pursuant to Federal Rule of Civil Procedure 41(b).

Judge Mitchell advised Plaintiff of his right to object to the Report and Recommendation by November 7, 2025, in accordance with 28 U.S.C. § 636 and Federal Rule of Civil Procedure 72, and that failure to make a timely objection would waive any right to appellate review of the factual and legal issues addressed in the Report and Recommendation.¹ To date, Plaintiff has filed no objections.

He has therefore waived his right to appellate review of the factual and legal issues addressed in the Report and 1 The record reflects that the Clerk’s mailing of a copy of the Report and Recommendation to Plaintiff was returned as undeliverable. See Dkt. 10. But it is Plaintiff’s obligation to provide written notice of a change of address. See LCvR5.4(a) (“Papers sent by the court will be deemed delivered if sent to the last known address given to the court.”); see also *Theede v. U.S. Dep’t of Labor*, 172 F.3d 1262, 1267–68 (10th Cir.

1999) (pro se plaintiff who failed to provide a change of address or address correction waived review by failing to make a timely objection). Recommendation.’ In the absence of a timely objection, the Court reviews the Report and Recommendation to confirm that there is no plain error on the face of the record.² Finding none, the Court agrees with Judge Mitchell’s analysis and conclusions.

Upon review, the Court ADOPTS the Report and Recommendation (Dkt. 8) in full and DISMISSES the case WITHOUT PREJUDICE. IT IS SO ORDERED this 9th day of December 2025. PATRICK R. WYRICK UNITED STATES DISTRICT JUDGE? *United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1059-60 (10th Cir. 1996). > *Summers v. State of Utah*, 927 F.2d 1165, 1167-68 (10th Cir.

1991) (“In the absence of timely objection, the district court may review a magistrate’s report under any standard it deems appropriate.”).

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/united-states-district-court-for-the-western-district-of-oklahoma-united-states-district-court-for-t/2025/demarcus-williams-v-lawrence-w-parish-j81muybn>