

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
TEXAS, HOUSTON DIVISION

Minerva Ortega Llanos and Abel Ramirez Ruiz v. Ur M. Jaddou

No. 4:25-cv-03135, United States District Court for the Southern District of Texas, Houston Division (January 8, 2026)

SUMMARY

The United States District Court for the Southern District of Texas adopted a magistrate judge’s recommendation to dismiss the plaintiffs’ pro se action without prejudice. The dismissal was based on the plaintiffs’ failure to effect timely service, and no party filed objections to the recommendation.

CASE DETAILS

COURT	United States District Court for the Southern District of Texas, Houston Division
WRITING FOR THE COURT	Charles Eskridge
JURISDICTION	United States District Court for the Southern District of Texas
DECIDED	January 8, 2026
DOCKET	4:25-cv-03135
DISPOSITION	dismissed
PROCEDURAL POSTURE	After referral to a magistrate judge, the district court reviewed and adopted a Memorandum and Recommendation recommending dismissal without prejudice for failure to effect service.
STANDARD OF REVIEW	The district court reviews de novo those portions of a magistrate judge's recommendation to which a party specifically objects and may review the remaining portions for clear error on the face of the record.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Minerva Ortega Llanos, Abel Ramirez Ruiz v. Ur M. Jaddou

TOPICS

- service of process
- civil procedure
- immigration

PRACTICE AREAS

- civil procedure
- immigration

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's recommendation to dismiss the case without prejudice for Plaintiffs' failure to effect timely service.
2. What standard of review applies to portions of a magistrate judge's Memorandum and Recommendation when no party files objections.

HOLDINGS

1. When no party files specific objections, the district court may accept the unobjected-to portions of a magistrate judge's recommendation if satisfied that no clear error appears on the face of the record.
2. Dismissal without prejudice was warranted because Plaintiffs failed to effect timely service despite notice of their service responsibility and extended deadlines.

KEY QUOTATIONS

"The Memorandum and Recommendation of the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court."

"This case is DISMISSED WITHOUT PREJUDICE."

FACTUAL BACKGROUND

Plaintiffs proceeded pro se and filed a complaint against Ur M. Jaddou. Despite being informed of their responsibility to effect service and receiving extended deadlines, Plaintiffs took no timely steps to do so. A certified-mail receipt addressed to the United States Attorney for the Southern District of Texas was dated December 17, 2025, after the extended service deadlines had expired.

PROCEDURAL HISTORY

Plaintiffs filed the complaint on July 7, 2025, and the matter was referred to Magistrate Judge Peter Bray. The magistrate judge recommended dismissal without prejudice because Plaintiffs failed to take steps to effect service despite being informed of their responsibility and receiving extended deadlines. No party filed objections. The district court reviewed the recommendation, found no clear error, adopted it as the court's Memorandum and Order, and dismissed the case without prejudice.

DISPOSITION

dismissed

CASES CITED

- United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir. 1989)
- Guillory v. PPG Industries, Inc., 434 F.3d 303, 308 (5th Cir. 2005)
- Douglass v. United Services Automobile Association, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc)

OPINION

January 12, 2026 Nathan Ochsner, Clerk UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION MINERVA ORTEGA § CIVIL ACTION NUMBER LLANOS and ABEL § 4:25-cv-03135 RAMIREZ RUIZ, § Plaintiffs, § § § versus § JUDGE CHARLES ESKRIDGE § § UR M. JADDOU, § Defendant. § ORDER ADOPTING MEMORANDUM AND RECOMMENDATION Plaintiffs Minerva Ortega Llanos and Abel Ramirez Ruiz proceed here pro se.

They filed a complaint on July 7, 2025. Dkt 1. The matter was referred for disposition to Magistrate Judge Peter Bray. Dkt 4. Pending is a Memorandum and Recommendation by Judge Bray dated December 12, 2025. Dkt 8. He recommends that this case be dismissed without prejudice because, despite being informed of their responsibility to effect service, Plaintiffs have taken no steps to do so.

The district court reviews de novo those conclusions of a magistrate judge to which a party has specifically objected. See FRCP 72(b)(3) & 28 USC § 636(b)(1)(C); see also *United States v Wilson*, 864 F2d 1219, 1221 (5th Cir 1989, per curiam).

The district court may accept any other portions to which there's no objection if satisfied that no clear error appears on the face of the record. See *Guillory v PPG Industries Inc*, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d 1415, 1430 (5th Cir 1996, en banc); see also FRCP 72(b) advisory committee note (1983).

None of the parties filed objections. The only filing appearing on the docket since entry of the Memorandum and Recommendation is a certified mail receipt addressed to the United States Attorney for the Southern District of Texas and dated December 17, 2025. Dkt 9. Even if construed as a certificate of service, the date on which the mailing was delivered comes long after expiration of extended deadlines for timely service.

See Dkt 8 at 1-2. No clear error otherwise appears upon review and consideration of the Memorandum and Recommendation, the record, and the applicable law. The Memorandum and Recommendation of the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court. Dkt 8. This case is DISMISSED WITHOUT PREJUDICE. SO ORDERED. Signed on January 08, 2026, at Houston, Texas.

Z. Honorable Charles Eskridge United States District Judge