

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

James Walker v. Hadco Construction

Walker · No. 1:25-cv-00184-JCB · Decided February 9, 2026

SUMMARY

The United States District Court for the District of Utah adopted the magistrate judge's Report and Recommendation after plaintiff James Walker failed to file an objection. The court denied Walker's motion to proceed in forma pauperis and ordered him to pay the full filing fee within 14 days, warning that failure to do so would result in dismissal without prejudice.

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH JAMES WALKER, ORDER ADOPTING REPORT AND RECOMMENDATION, DENYING IFP Plaintiff, MOTION, AND ORDERING THE PLAINTIFF TO PAY THE FILING FEE v. WITHIN 14 DAYS HADCO CONSTRUCTION, Case No. 1:25-cv-00184-JCB Defendant. Judge Jill N. Parrish Magistrate Judge Jared C. Bennett issued a Report and Recommendation that the court deny plaintiff James Walker's motion to proceed in forma pauperis.

ECF No. 3. Judge Bennett notified Mr. Walker that a failure to file a timely objection to the recommendation could waive any objections to it. No objection was filed within the allotted time. Because Mr. Walker did not object to the Report and Recommendation, any argument that it was in error has been waived. See *United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir.

1996). The court will decline to apply the waiver rule only if "the interests of justice so dictate." *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991). In this case, there is no indication that the interests of justice require it to deviate from the waiver rule.

Thus, the court finds that all objections are waived and ADOPTS IN FULL the Report and Recommendation. The court ORDERS as follows: 1. The Report and Recommendation, ECF No. 3, is ADOPTED IN FULL. 2. Plaintiff James Walker's motion to proceed in forma pauperis, ECF No. 2, is DENIED. 3.

The court ORDERS Mr. Walker to pay the full filing fee by February 23, 2026. If he fails to do so, this case will be dismissed without prejudice. DATED February 9, 2026. BY THE COURT: pe N. PARRISH United States District Judge

