

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TEXAS

Brandon T. Fisher v. Federal Bureau of Prisons, et al.

Fisher · No. 1:25-CV-48 · Decided December 10, 2025

SUMMARY

The United States District Court for the Eastern District of Texas adopted the magistrate judge’s report and recommendation in Brandon T. Fisher’s pro se Bivens civil rights action against the Federal Bureau of Prisons and individual defendants. The court dismissed the action under 28 U.S.C. § 1915(e) for failure to state a claim and directed entry of final judgment.

CASE DETAILS

COURT	United States District Court for the Eastern District of Texas
WRITING FOR THE COURT	Marcia A. Crone
JURISDICTION	United States District Court for the Eastern District of Texas
DECIDED	December 10, 2025
DOCKET	1:25-CV-48
DISPOSITION	dismissed
PROCEDURAL POSTURE	A pro se former federal prisoner brought a Bivens civil-rights action. The district court reviewed and adopted the magistrate judge's report and recommendation to dismiss the action for failure to state a claim under 28 U.S.C. § 1915(e).
STANDARD OF REVIEW	The district court reviewed the magistrate judge's findings of fact and conclusions of law and determined that they were correct.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Brandon T. Fisher v. Federal Bureau of Prisons, Lieutenant Duvall, Lieutenant Harvashak, Captain Ardeno, Correctional Officer Dixon, Correctional Officer Jones

TOPICS

- prisoners rights
- civil rights
- civil procedure

PRACTICE AREAS

civil rights

prisoners rights

federal civil procedure

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's report and recommendation recommending dismissal of Fisher's Bivens action under 28 U.S.C. § 1915(e) for failure to state a claim.

HOLDINGS

1. The district court adopted the magistrate judge's findings of fact, conclusions of law, and recommendation to dismiss the action for failure to state a claim under 28 U.S.C. § 1915(e).

FACTUAL BACKGROUND

Brandon T. Fisher, a former federal prisoner proceeding pro se and in forma pauperis, alleged civil-rights violations by the Federal Bureau of Prisons and several correctional officials. He brought the action under Bivens v. Six Unknown Agents of Federal Bureau of Narcotics. The magistrate judge recommended dismissal for failure to state a claim.

PROCEDURAL HISTORY

The case was referred to United States Magistrate Judge Christine L. Stetson. On November 3, 2025, the magistrate judge recommended dismissal under 28 U.S.C. § 1915(e) for failure to state a claim. The parties filed no objections, and the district court adopted the report and recommendation and directed that final judgment be entered consistent with it.

DISPOSITION

dismissed

CASES CITED

- Bivens v. Six Unknown Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TEXAS BRANDON T. FISHER, § § Plaintiff, § § versus § CIVIL ACTION NO. 1:25-CV-48 § FEDERAL BUREAU OF PRISONS, et al., § § Defendants. § ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION Plaintiff Brandon T. Fisher, a former federal prisoner, proceeding pro se and in forma pauperis, brought this civil rights action pursuant to Bivens v. Six Unknown Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971), against the Federal Bureau of Prisons, Lieutenant Duvall, Lieutenant Harvashak, Captain Ardeno, Correctional Officer Dixon, and Correctional Officer Jones.

The court referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. On November 3, 2025, the magistrate judge recommended dismissing the action pursuant to 28 U.S.C. § 1915(e) for failure to state a claim.

To date, the parties have not filed objections to the report and recommendation. The court received and considered the Report and Recommendation of United States Magistrate Judge pursuant to such referral, along with the record, pleadings and all available evidence.

After careful review, the court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct. Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the Report and Recommendation of United States Magistrate Judge (#21) is ADOPTED. A final judgment will be entered in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 10th day of December, 2025. MARCIA A. CRONE UNITED STATES DISTRICT JUDGE