

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
TENNESSEE, NASHVILLE DIVISION

Pankaj J. Patel v. Kristi Noem, Secretary DHS, et al.

Patel · No. 3:25-cv-01374 · Decided May 27, 2026

SUMMARY

The United States District Court for the Middle District of Tennessee adopted the Magistrate Judge’s Report and Recommendation and dismissed Pankaj J. Patel’s action without prejudice. The dismissal was based on Patel’s failure to timely serve the defendants and failure to respond to the Court’s show cause order, pursuant to Federal Rule of Civil Procedure 4(m).

CASE DETAILS

COURT	United States District Court for the Middle District of Tennessee, Nashville Division
WRITING FOR THE COURT	Waverly D. Crenshaw Jr.
JURISDICTION	United States District Court for the Middle District of Tennessee, Nashville Division
DECIDED	May 27, 2026
DOCKET	3:25-cv-01374
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed and adopted a magistrate judge's Report and Recommendation recommending dismissal without prejudice for failure to timely serve the defendants and failure to respond to a show cause order.
STANDARD OF REVIEW	When no timely objection is made to a magistrate judge's report and recommendation, the district court need only satisfy itself that there is no clear error on the face of the record.
PRECEDENTIAL VALUE	unpublished
PARTIES	Pankaj J. Patel v. Kristi Noem, Secretary DHS, et al.

TOPICS

- service of process
- mandamus immigration
- immigration
- civil procedure

PRACTICE AREAS

civil procedure

immigration

QUESTIONS PRESENTED

1. Whether the district court should review the unobjected-to Report and Recommendation for clear error rather than de novo.
2. Whether dismissal without prejudice was warranted under Federal Rule of Civil Procedure 4(m) because Patel failed to timely serve the defendants and failed to respond to the show cause order.

HOLDINGS

1. When no timely objection is filed to a Report and Recommendation, the district court need only determine whether the record contains clear error before accepting the recommendation.
2. Dismissal without prejudice was the proper remedy because Patel failed to timely serve the defendants and failed to respond to the Court's show cause order.

KEY QUOTATIONS

“Where there are no “timely objection[s]” to the R&R, “the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.””

“The Court agrees with the Magistrate Judge that dismissal without prejudice is the proper remedy under Federal Rule of Civil Procedure 4(m) for Patel’s failure to timely serve Defendants and respond to the show cause order.”

FACTUAL BACKGROUND

Patel failed to timely serve the defendants. He also failed to respond to the Court's show cause order requesting the status of service. Neither party filed objections to the Magistrate Judge's recommendation that the action be dismissed without prejudice.

PROCEDURAL HISTORY

The Magistrate Judge issued an R&R on May 7, 2026, recommending dismissal without prejudice. The R&R found that Patel failed to effect timely service of process and did not respond to the Court's show cause order concerning service. No party filed timely objections, and the district court reviewed the R&R for clear error, approved and adopted it, and dismissed the action without prejudice.

DISPOSITION

dismissed

CASES CITED

- Ashraf v. Adventist Health Sys./Sunbelt, Inc., 322 F. Supp. 3d 879, 881 (W.D. Tenn. 2018)

- Thomas v. Arn, 474 U.S. 140, 150 (1985)

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