

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TEXAS, TYLER DIVISION

Ty Brett Pierce v. Alicia An, et al.

Pierce · No. 6:25-cv-339-JDK-KNM · Decided February 16, 2026

SUMMARY

The United States District Court for the Eastern District of Texas adopted the magistrate judge’s report and recommendation recommending dismissal of Ty Brett Pierce’s pro se prison civil-rights action. Because Pierce filed no objections, the court reviewed the recommendation for clear error, abuse of discretion, and conclusions contrary to law, and dismissed the case with prejudice for failure to state a claim under 28 U.S.C. § 1915A(b)(1).

CASE DETAILS

COURT	United States District Court for the Eastern District of Texas, Tyler Division
WRITING FOR THE COURT	Jeremy D. Kernodle
JURISDICTION	United States District Court for the Eastern District of Texas, Tyler Division
DECIDED	February 16, 2026
DOCKET	6:25-cv-339-JDK-KNM
DISPOSITION	dismissed
PROCEDURAL POSTURE	After the plaintiff failed to object to a magistrate judge's report and recommendation, the district court reviewed the report for clear error or abuse of discretion and reviewed its legal conclusions for conformity with law.
STANDARD OF REVIEW	When no timely objections are filed to a magistrate judge's report and recommendation, the district court reviews factual findings for clear error or abuse of discretion and reviews legal conclusions to determine whether they are contrary to law.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- prisoners rights
- section 1983
- civil procedure

PRACTICE AREAS

civil procedure

prisoner civil rights

constitutional law

QUESTIONS PRESENTED

1. What standard of review applies when a party does not timely object to a magistrate judge's report and recommendation?
2. Whether the magistrate judge's recommendation to dismiss the prison civil-rights action with prejudice for failure to state a claim should be adopted.

HOLDINGS

1. When no timely objections are filed to a magistrate judge's report and recommendation, the district court reviews the magistrate judge's findings for clear error or abuse of discretion and reviews legal conclusions to determine whether they are contrary to law.
2. The magistrate judge's report and recommendation was adopted, and the action was dismissed with prejudice for failure to state a claim upon which relief could be granted.

KEY QUOTATIONS

"The Court therefore reviews the Magistrate Judge's findings for clear error or abuse of discretion and reviews her legal conclusions to determine whether they are contrary to law."

"This case is DISMISSED with prejudice for failure to state a claim upon which relief can be granted."

FACTUAL BACKGROUND

Pierce, an inmate in the custody of the Texas Department of Criminal Justice, brought a civil-rights action alleging constitutional violations arising from his imprisonment. He proceeded pro se and in forma pauperis. The magistrate judge recommended dismissal for failure to state a claim, and Pierce did not object within the prescribed period.

PROCEDURAL HISTORY

Plaintiff Ty Brett Pierce, an incarcerated person proceeding pro se and in forma pauperis, filed a prison civil-rights action. The case was referred to Magistrate Judge K. Nicole Mitchell, who recommended dismissal with prejudice under 28 U.S.C. § 1915A(b)(1) for failure to state a claim. Pierce received the report but filed no objections. The district court adopted the report and recommendation, dismissed the action with prejudice, and denied pending motions as moot.

DISPOSITION

dismissed

CASES CITED

- *Douglass v. United Services Automobile Association*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc)
- *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989), cert. denied, 492 U.S. 918 (1989)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS
 TYLER DIVISION TY BRETT PIERCE, #2499789, § § Plaintiff, § § v. § Case No. 6:25-cv-339-JDK-KNM § ALICIA AN, et al., § § Defendants. § ORDER ADOPTING THE REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE Plaintiff Ty Brett Pierce, an inmate of the Texas Department of Criminal Justice proceeding pro se and in forma pauperis, filed this civil rights lawsuit alleging violations of his constitutional rights in prison.

The case was referred to United States Magistrate Judge K. Nicole Mitchell, for findings of fact, conclusions of law, and recommendations for the disposition of the case. On January 2, 2026, Judge Mitchell issued a Report recommending that the case be dismissed with prejudice for failure to state a claim pursuant to 28 U.S.C. § 1915A(b)(1). Docket No. 24. A copy of this Report was sent to Plaintiff, who did not file written objections.

This Court reviews the findings and conclusions of the Magistrate Judge de novo only if a party objects within fourteen days of the Report and Recommendation. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the Court examines the entire record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1430 (5th Cir.

1996) (en banc), superseded on other grounds by statute, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days). Here, Plaintiff did not object in the prescribed period. The Court therefore reviews the Magistrate Judge’s findings for clear error or abuse of discretion and reviews her legal conclusions to determine whether they are contrary to law.

See *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989), cert. denied, 492 U.S. 918 (1989) (holding that, if no objections to a Magistrate Judge’s Report are filed, the standard of review is “clearly erroneous, abuse of discretion and contrary to law.”).

Having reviewed the Magistrate Judge’s Report and the record in this case, the Court finds no clear error or abuse of discretion and no conclusions contrary to law. Accordingly, the Court hereby ADOPTS the Report and Recommendation of the United States Magistrate Judge (Docket No. 24) as the findings of this Court. This case is DISMISSED with prejudice for failure to state a claim upon which relief can be granted.

All pending motions are DENIED as MOOT. So ORDERED and SIGNED this 16th day of February, 2026. JHKREMYD. KERN DLE UNITED STATES DISTRICT JUDGE