

**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

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**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).

**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1996) (en banc), superseded on other grounds by statute, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days).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