

**UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
NORTH CAROLINA**

Curtis Dillard, Jr. v. Patrella, et al.

Dillard · No. 1:25-CV-849 · Decided May 6, 2026

SUMMARY

The United States District Court for the Middle District of North Carolina reviews and adopts a magistrate judge's recommendation because no party filed objections and the record presents no clear error. The court denies Curtis Dillard Jr.'s motion for summary judgment as premature.

OPINION

DILLARD

PER CURIAM.

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CURTIS DILLARD, JR.,**

Plaintiff, v. 1:25-CV-849 PATRELLA, et al. Defendants.

ORDER

This matter is before the Court for review of the Order and Recommendation entered by the Honorable JoAnna Gibson McFadden. (D.E. 17.) The Recommendation recommends denying Plaintiff Curtis Dillard Jr.'s motion for summary judgment (D.E. 15) as premature. (Id.) The deadline for objections passed on April 27, 2026, and no parties have objected to the Recommendation. Because there are no objections, the Court "must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'" *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. Proc. 72 advisory committee's note). This Court has reviewed the Recommendation and concludes it contains no clear error. Accordingly, it is ordered that the Magistrate Judge's Recommendation (D.E. 17) is **ADOPTED** and the motion for summary judgment (D.E. 15) is **DENIED** as premature. This the 6th day of May, 2026. /s/ David A. Bragdon United States District Judge