

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

Premium W. Clark v. Jerry D. Rochelle, et al.

Clark v. Rochelle · No. 5:25-CV-86-RWS-JBB · Decided March 30, 2026

SUMMARY

The United States District Court for the Eastern District of Texas adopted a magistrate judge’s Report and Recommendation in an inmate’s civil rights and habeas-related action. The court dismissed the petition with prejudice for failure to state a claim, while clarifying that the dismissal did not affect the plaintiff’s ability to challenge his conviction or confinement through other lawful means.

CASE DETAILS

COURT	United States District Court for the Eastern District of Texas, Texarkana Division
WRITING FOR THE COURT	Robert W. Schroeder III
JURISDICTION	United States District Court for the Eastern District of Texas, Texarkana Division
DECIDED	March 30, 2026
DOCKET	5:25-CV-86-RWS-JBB
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending dismissal of Plaintiff's habeas application as moot. Plaintiff filed no objections, and the district court adopted the Report and Recommendation and dismissed the petition with prejudice for failure to state a claim.
STANDARD OF REVIEW	Because no objections were filed, the district court reviewed the Report and Recommendation for clear error, abuse of discretion, and whether it was contrary to law; unobjected-to factual findings and legal conclusions were subject to appellate review only for plain error.
PRECEDENTIAL VALUE	Unknown; district court order with no reporter citation.
PARTIES	Premium W. Clark v. Jerry D. Rochelle, et al.

TOPICS

federal habeas corpus

prisoners rights

section 1983

post-conviction relief

civil procedure

PRACTICE AREAS

civil procedure

federal habeas corpus

prisoner civil rights

post-conviction relief

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's Report and Recommendation when no objections were filed.
2. Whether the petition should be dismissed with prejudice for failure to state a claim upon which relief may be granted.

HOLDINGS

1. When a party fails to object to a magistrate judge's proposed findings, conclusions, and recommendations, the district judge need not conduct de novo review, and appellate review of accepted unobjected-to factual findings and legal conclusions is generally limited to plain error.
2. The petition for a writ of habeas corpus was dismissed with prejudice for failure to state a claim upon which relief may be granted.

KEY QUOTATIONS

“where no objections to a Magistrate Judge’s Report are filed, the standard of review is “clearly erroneous, abuse of discretion and contrary to law”” (at 2)

FACTUAL BACKGROUND

Premium W. Clark, an incarcerated pro se plaintiff, filed an action alleging constitutional violations and seeking habeas-related relief concerning his conviction or confinement. The magistrate judge recommended dismissal, and Clark did not object after receiving the Report and Recommendation.

PROCEDURAL HISTORY

Plaintiff, an inmate proceeding pro se, filed a civil-rights action under 42 U.S.C. § 1983. The case was referred to Magistrate Judge J. Boone Baxter, who issued a Report and Recommendation on December 23, 2025. Plaintiff received the Report on February 17, 2026, but filed no objections. The district court adopted the Report and Recommendation and dismissed the petition with prejudice.

DISPOSITION

dismissed

CASES CITED

- Duarte v. City of Lewisville, Texas, 858 F.3d 348, 352 (5th Cir. 2017)
- Arriaga v. Laxminarayan, Case No. 4:21-CV-00203-RAS, 2021 WL 3287683, at *1 (E.D. Tex. July 31, 2021)

- United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir.), cert. denied, 492 U.S. 918 (1989)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION PREMIUM W. CLARK, § § Plaintiff, § § v. § CIVIL ACTION NO.
5:25-CV-86-RWS-JBB § JERRY D. ROCHELLE, et al., § § Defendants. § ORDER Plaintiff
Premium Clark, an inmate proceeding pro se, filed this civil rights lawsuit under 42 U.S.C. § 1983
complaining of alleged violations of his constitutional rights.

Docket No. 1. The case was referred to United States Magistrate Judge J. Boone Baxter pursuant
to 28 U.S.C. § 636. On December 23, 2025, the Magistrate Judge issued a Report and
Recommendation, recommending the above application for writ of habeas corpus be dismissed as
moot. Docket No. 19.

The Magistrate Judge further recommended that the dismissal of this lawsuit should have no effect
upon Plaintiff's right to challenge his conviction or confinement through any lawful means, or to
seek such relief in state court to which he may be entitled. Id. at 9. Plaintiff received a copy of this
Report on February 17, 2026, but has filed no objections to date.

Docket No. 21. Because no objections have been filed, any aggrieved party is barred from de novo
review by the District Judge of the Magistrate Judge's proposed findings, conclusions, and
recommendations. Moreover, except upon grounds of plain error, an aggrieved party is barred
from appellate review of the unobjected-to factual findings and legal conclusions accepted and
adopted by the District Court.

See Duarte v. City of Lewisville, Texas, 858 F.3d 348, 352 (5th Cir. 2017); Arriaga v.
Laxminarayan, Case No. 4:21-CV-00203-RAS, 2021 WL 3287683, at *1 (E.D. Tex. July 31,
2021). The Court has reviewed the pleadings in this case and the Report and Recommendation of
the Magistrate Judge. Upon such review, the Court has determined that the Report of the
Magistrate Judge is correct.

See United States v. Wilson, 864 F.2d 1219, 1221 (Sth Cir.), cert. denied, 492 U.S. 918 (1989)
(where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly
erroneous, abuse of discretion and contrary to law").

Accordingly, it is ORDERED that the Report of the Magistrate Judge (Docket No. 19) is
ADOPTED as the opinion of the District Court. It is further ORDERED that the above-captioned
petition for writ of habeas corpus is DISMISSED WITH PREJUDICE for failure to state a claim
upon which relief may be granted.

The dismissal of this lawsuit should have no effect upon Plaintiffs right to challenge his conviction
or confinement through any lawful means, or to seek such relief in state court to which he may be

entitled. So ORDERED and SIGNED this 30th day of March, 2026. [Dohert LU Llpectsr C2.
ROBERT W. SCHROEDER III UNITED STATES DISTRICT JUDGE Page 2 of 2

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/united-states-district-court-for-the-eastern-district-of-texas-texarkana-division-united-states-dist/2026/premium-w-clark-v-jerry-d-rochelle-et-al-uxpp8agw>