

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Parker v. Zoox, Inc.

Parker · No. 2:25-cv-02513-JAD-EJY · Decided January 23, 2026

SUMMARY

The United States District Court for the District of Nevada adopted a magistrate judge's report and recommendation recommending dismissal of Tameka L. Parker's action against Zoox, Inc. because the complaint duplicated the complaint in another pending action involving the same parties and subject matter. The court dismissed the case, directed the Clerk to close it, and instructed that future related filings be submitted in the other case.

CASE DETAILS

COURT	United States District Court for the District of Nevada
WRITING FOR THE COURT	Jennifer A. Dorsey
JURISDICTION	United States District Court for the District of Nevada
DECIDED	January 23, 2026
DOCKET	2:25-cv-02513-JAD-EJY
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed and adopted a magistrate judge's report and recommendation recommending dismissal of the action because the complaint duplicated a complaint in another action pending in the same court against the same defendant.
STANDARD OF REVIEW	When no objections are filed, no review of a magistrate judge's report and recommendation is required under Ninth Circuit precedent; the district court nevertheless reviewed the recommendation and found good cause to adopt it.
PRECEDENTIAL VALUE	unpublished
PARTIES	Tameka L. Parker v. Zoox, Inc.

TOPICS

res judicata

civil procedure

pleadings

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the action should be dismissed because the complaint duplicated an action brought by the same plaintiff against the same defendant in the same federal court.
2. Whether the district court should adopt the magistrate judge's report and recommendation when no objections were filed.

HOLDINGS

1. A plaintiff generally may not maintain two separate actions involving the same subject matter at the same time in the same federal court against the same defendant; because this complaint exactly duplicated the complaint in the earlier action, the case was properly dismissed.
2. The district court adopted the magistrate judge's report and recommendation in its entirety and dismissed the action after finding good cause to do so; no party had objected by the applicable deadline.

KEY QUOTATIONS

"Plaintiffs generally have no right to maintain two separate actions involving the same subject matter at the same time in the same court and against the same defendant." (at 1)

"IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation [ECF No. 4] is ADOPTED in its entirety, and THIS CASE IS DISMISSED for the reasons stated in the report and recommendation." (at 2)

FACTUAL BACKGROUND

The complaint in this action was an exact duplicate of the complaint filed in Parker's earlier action, Case No. 2:25-cv-1898-RFB-NJK. Both actions were brought by Tameka Parker against Zoox, Inc. in the United States District Court for the District of Nevada. The court concluded that allowing both actions to proceed would violate the claim-splitting doctrine.

PROCEDURAL HISTORY

Plaintiff filed this action on December 17, 2025. On December 29, 2025, Magistrate Judge Elayna J. Youchah recommended dismissal and closure because the complaint was an exact duplicate of the complaint in Case No. 2:25-cv-1898-RFB-NJK. No party objected by the January 12, 2026 deadline, and the district court adopted the recommendation in its entirety on January 23, 2026, dismissed the case, and directed the Clerk to close it.

DISPOSITION

dismissed

CASES CITED

- *Adams v. California Department of Health Services*, 487 F.3d 684, 688 (9th Cir. 2007)

- Taylor v. Sturgell, 553 U.S. 880 (2008)
- Walton v. Eaton Corp., 563 F.2d 66, 70 (3d Cir. 1977)
- Almaznai v. S-L Distribution Co., Case No. 20-cv-08487-JST, 2021 WL 4457025, at *5 n.5 (N.D. Cal. June 21, 2021)
- United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003)

OPINION

1 UNITED STATES DISTRICT COURT 2 DISTRICT OF NEVADA 3 * * * 4 TAMEKA L. PARKER, Case No. 2:25-cv-02513-JAD-EJY 5 Plaintiff, ORDER ADOPTING REPORT and 6 v. RECOMMENDATION 7 ZOOX, INC., ECF No. 4 8 Defendant. 9 On 12/29/25, the magistrate judge entered this report and recommendation [ECF No. 4]: 10 Pending before the Court is an instant action titled Parker v. Zoon, Inc. The content of the 11 Complaint in this matter (ECF No. 1-1) is an exact duplicate of the content in the Complaint 12 proceeding before Judges Boulware and Koppe.

See Case No. 2:25-cv-1898-RFB-NJK (the “1898 13 Matter”), ECF No. 9. 14 “Plaintiffs generally have no right to maintain two separate actions involving the same 15 subject matter at the same time in the same court and against the same defendant.” Adams v. Cal. 16 Dept. of Health Servs., 487 F.3d 684, 688 (9th Cir. 2007), overruled on other grounds by Taylor v. 17 Sturgell, 553 U.S. 880 (2008), (cleaned up) (quoting Walton v. Eaton Corp., 563 F.2d 66, 70 (3d Cir.

1977)). “Two actions are in the ‘same court’ within the meaning of the claim-splitting doctrine 19 when both were filed in federal court.” Almaznai v. S-L Distr. Co., Case No. 20-cv-08487-JST, 2021 20 WL 4457025, at *5 n.5 (N.D. Cal. June 21, 2021). 21 What is undeniable is that the substance of the Complaint in this case duplicates the substance 22 of the Complaint in the 1898 Matter.

The cases are brought by the same Plaintiff (Tameka Parker) 23 against the same Defendant (Zoon) in the same court (the U.S. District Court for the District of 24 Nevada). Given these facts, the Court finds permitting the instant matter to proceed would be 25 contrary to well settled law. 26 Accordingly, IT IS HEREBY RECOMMENDED that Plaintiff’s Complaint in Parker v. 27 Zoon, Case No. 25-cv-2513-JAD-EJY be dismissed and this action be closed in its entirety.] IT IS FURTHER RECOMMENDED that any filings submitted bearing the case number 2 || this action be redirected to Case No. 25-cv-1898.

3 Dated this 29th day of December, 2025. 5. ELAYNA J. YO A 6 UNITED/SSSTATESMA RATE JUDGE 8 ORDER 9 The deadline for any party to object to this recommendation was 1/12/26, and no 10 || party filed anything or asked to extend the deadline to do so. “[N]o review is required of a 11 || magistrate judge’s report and recommendation unless objections are filed.” United States v. 12 || Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir.

2003). Having reviewed the report and 13 } recommendation, I find good cause to adopt it, and I do. IT IS THEREFORE ORDERED that th 14 || Magistrate Judge's Report and Recommendation [ECF No. 4] is ADOPTED in its entirety, and 15 || THIS CASE IS DISMISSED for the reasons stated in the report and recommendation.

The Clet 16 || of Court is directed to CLOSE THIS CASE. Plaintiff Tameka L. Parker is advised that any 17 || further filings related to her claims against Zoox, Inc. must be filed in Case No. 25-cv-1898- 18 || RFB-NJK instead. Lee 71 Dated: January 23, 2026 22 23 24 25 26 27 28