

**UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
WEST VIRGINIA**

Ross Matthew Cataffo v. Jackson County Police Department, et al.

Cataffo · No. 2:25-cv-00524 · Decided February 18, 2026

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA CHARLESTON DIVISION ROSS MATTHEW CATAFFO, Plaintiff, v. CIVIL ACTION NO. 2:25-cv-00524 JACKSON COUNTY POLICE DEPARTMENT, et al., Defendants. MEMORANDUM OPINION AND ORDER On September 2, 2025, the Plaintiff, proceeding pro se, filed an Application to Proceed Without Prepayment of Fees and Costs (Document 1) and a Complaint (Document 2).

Subsequently, on September 15, 2025, the Plaintiff filed an Amended Complaint (Document 6) and, on September 22, 2025, he filed additional supporting documentation (Document 7). By Administrative Order (Document 3) entered on September 3, 2025, the matter was referred to the Honorable Omar J. Aboulhosn, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636.

On January 21, 2026, the Magistrate Judge submitted a Proposed Findings and Recommendation (Document 8) wherein it is recommended that this Court deny the Plaintiff's Application to Proceed Without Prepayment of Fees and Costs (Document 1), dismiss the Plaintiff's Complaint and Amended Complaint (Documents 2, 6 & 7), and remove this matter from 1 the Court's docket. | Objections to the Magistrate Judge's Proposed Findings and Recommendation were due by February 9, 2026.

Neither party has timely filed objections to the Magistrate Judge's Proposed Findings and Recommendation. The Court is not required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985).

Failure to file timely objections constitutes a waiver of de novo review and a party's right to appeal this Court's Order. 28 U.S.C. § 636(b)(1); see also *Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984).

Accordingly, the Court ADOPTS and incorporates herein the findings and recommendation of the Magistrate Judge as contained in the Proposed Findings and Recommendation, and ORDERS that the Plaintiff's Application to Proceed Without Prepayment of Fees and Costs (Document 1) be

DENIED, the Plaintiff's Complaint and Amended Complaint (Documents 2, 6 & 7) be DISMISSED, and this matter be REMOVED from the Court's docket.

The Court DIRECTS the Clerk to send a certified copy of this Order to Magistrate Judge Aboulhosn, counsel of record, and any unrepresented party. ENTER: February 18, 2026 Dire. Bengert UNITED STATES DISTRICT JUDGE SOUTHERN DISTRICT OF WEST VIRGINIA

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/united-states-district-court-for-the-southern-district-of-west-virginia-united-states-district-court/2026/ross-matthew-cataffo-v-jackson-county-police-department-et-vhpd91yn>