

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
MISSISSIPPI, EASTERN DIVISION

Georgio Rodriquez Scott v. Lamar County, et al.

Scott · No. 2:24-cv-00202-HSO-BWR · Decided June 15, 2026

SUMMARY

The United States District Court for the Southern District of Mississippi adopted, as modified, a magistrate judge’s report and recommendation and granted motions for judgment on the pleadings and dismissal. The court dismissed Scott’s federal claims against Lamar County and Judge Anthony Mozingo with prejudice, dismissed his federal claims against the State of Mississippi without prejudice based on sovereign immunity, and declined supplemental jurisdiction over his state-law claims. The court cited municipal liability, Eleventh Amendment immunity, absolute judicial immunity, and Heck v. Humphrey.

CASE DETAILS

COURT	United States District Court for the Southern District of Mississippi, Eastern Division
WRITING FOR THE COURT	Halil Suleyman Ozerden
JURISDICTION	United States District Court for the Southern District of Mississippi, Eastern Division
DECIDED	June 15, 2026
DOCKET	2:24-cv-00202-HSO-BWR
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed and adopted, as modified, a magistrate judge's report and recommendation addressing a motion for judgment on the pleadings and motions to dismiss in a pro se action under 42 U.S.C. § 1983 and state law.
STANDARD OF REVIEW	Because no objections were filed to the report and recommendation, the court applied the clearly erroneous, abuse of discretion, and contrary to law standard rather than de novo review.
PRECEDENTIAL VALUE	Unknown; unpublished federal district court order
PARTIES	Georgio Rodriquez Scott v. Lamar County, State of Mississippi, Judge Anthony Mozingo

TOPICS

motion for judgment on the pleadings

motions to dismiss

section 1983

sovereign immunity

subject matter jurisdiction

PRACTICE AREAS

Civil rights

Federal civil procedure

Constitutional litigation

Sovereign immunity

Judicial immunity

QUESTIONS PRESENTED

1. Whether the magistrate judge's report and recommendation should be adopted under the applicable clearly erroneous, abuse of discretion, and contrary to law standard when no objections were filed.
2. Whether Scott's § 1983 claims against Lamar County failed because the alleged conduct was not attributable to the County and because Scott did not plead municipal liability.
3. Whether Scott's federal claims against the State of Mississippi were barred by Eleventh Amendment sovereign immunity and because the State is not a person subject to suit under § 1983.
4. Whether Scott's federal claims against Judge Anthony Mozingo were barred by absolute judicial immunity and, alternatively, by *Heck v. Humphrey*.
5. Whether the court should decline supplemental jurisdiction over Scott's state-law claims after dismissing all claims within its original jurisdiction.

HOLDINGS

1. When no party objects to a magistrate judge's report and recommendation, the district court need not conduct de novo review and may review the recommendation for clear error, abuse of discretion, and whether it is contrary to law. The report and recommendation was neither clearly erroneous nor contrary to law, subject to the modification concerning the disposition of the claims against Mississippi.
2. Scott's federal claims against Lamar County were dismissed with prejudice because the alleged conduct was directed entirely at Judge Mozingo, who was not a Lamar County employee, and Scott did not plead a viable municipal-liability claim under § 1983.
3. Scott's federal claims against the State of Mississippi were dismissed without prejudice for lack of jurisdiction because sovereign immunity barred the claims.
4. Scott's federal claims against Judge Mozingo were dismissed with prejudice because he was entitled to absolute judicial immunity; alternatively, the claims were barred by *Heck v. Humphrey*.
5. After dismissing all claims within its original jurisdiction, the court declined to exercise supplemental jurisdiction over the remaining state-law claims and dismissed them without prejudice.

KEY QUOTATIONS

"In such cases, the Court applies the "clearly erroneous, abuse of discretion and contrary to law" standard of review." (Discussion)

“Plaintiff’s federal claims will be dismissed with prejudice, except that his federal claims against the State should be dismissed without prejudice for lack of jurisdiction as barred by sovereign immunity.” (Discussion)

FACTUAL BACKGROUND

Scott alleged that Lamar County Circuit Court Judge Anthony Mozingo improperly amended his state-court criminal sentence twice, allegedly affecting a later federal sentence. Scott asserted federal and state-law claims against Lamar County and the State of Mississippi and later added Judge Mozingo. At an omnibus hearing, Scott testified that his allegations were directed entirely against Judge Mozingo, whom he identified as not being a Lamar County employee.

PROCEDURAL HISTORY

Scott filed suit against Lamar County and the State of Mississippi under § 1983 and state law, and was later permitted to add Judge Anthony Mozingo as a defendant. The magistrate judge recommended granting defendants' motions, dismissing the federal claims with prejudice, declining supplemental jurisdiction over the state-law claims, and dismissing those claims without prejudice. No objections were filed. The district court adopted the recommendation as modified, dismissing the federal claims against Lamar County and Judge Mozingo with prejudice, the federal claims against Mississippi without prejudice for lack of jurisdiction, and the state-law claims without prejudice.

DISPOSITION

dismissed

CASES CITED

- United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir. 1989)
- Heck v. Humphrey, 512 U.S. 477 (1994)
- Quiroz v. Hernandez, 167 F.4th 254, 268 (5th Cir. 2025)