

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Wilberson Severe Dalicier v. Chicago Motor Cars

Dalicier v. Chicago Motor Cars · No. 1:25-CV-01006 · Decided December 16, 2025

SUMMARY

The United States District Court for the Middle District of Pennsylvania adopts a magistrate judge’s report and recommendation and dismisses Wilberson Severe Dalicier’s complaint with prejudice because it violates a previously issued injunction. The court also denies the plaintiff’s motion to proceed in forma pauperis as moot and directs the clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Jennifer P. Wilson
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	December 16, 2025
DOCKET	1:25-CV-01006
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's report and recommendation recommending dismissal with prejudice for violation of a previously issued injunction and denial as moot of Plaintiff's motion to proceed in forma pauperis. No objections were filed.
STANDARD OF REVIEW	Because no objections were filed, the court reviewed the report and recommendation for clear error on the face of the record, while giving reasoned consideration to the uncontested portions and independently reviewing the report and record.
PRECEDENTIAL VALUE	Unknown
PARTIES	Wilberson Severe Dalicier v. Chicago Motor Cars

TOPICS

- injunctions
- motions to dismiss
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the court should adopt the magistrate judge's uncontested report and recommendation recommending dismissal of the complaint with prejudice for violating a previously issued injunction.
2. Whether Plaintiff's pending motion for leave to proceed in forma pauperis should be denied as moot following dismissal of the complaint.

HOLDINGS

1. When no objections are filed to a magistrate judge's report and recommendation, the district court may review the uncontested portions for clear error, give them reasoned consideration, and adopt the recommendation when the record supports it.
2. Plaintiff's complaint was properly dismissed with prejudice because it violated an injunction previously issued by the court.
3. The motion for leave to proceed in forma pauperis was denied as moot after the complaint was dismissed.

FACTUAL BACKGROUND

The complaint was subject to a previously issued injunction by the court. The magistrate judge determined that the complaint violated that injunction and recommended dismissal with prejudice. The district court adopted that recommendation after finding the analysis well-reasoned and supported by the record and applicable law.

PROCEDURAL HISTORY

United States Magistrate Judge Phillip J. Caraballo issued a report and recommendation recommending dismissal of the complaint with prejudice because it violated a prior injunction and recommending that the motion for leave to proceed in forma pauperis be denied as moot. With no objections filed, the district court conducted an independent review, afforded reasoned consideration to the uncontested portions of the report, adopted the report and recommendation, dismissed the complaint with prejudice, denied the in forma pauperis motion as moot, and directed the Clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Nara v. Frank, 488 F.3d 187, 194 (3d Cir. 2007)
- Henderson v. Carlson, 812 F.2d 874, 878-79 (3d Cir. 1987)
- EEOC v. City of Long Branch, 866 F.3d 93, 100 (3d Cir. 2017)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA WILBERSON SEVERE DALICIER,; Civil No. 1:25-CV-01006 Plaintiff,; v.: CHICAGO MOTOR CARS,; Defendant. Judge Jennifer P. Wilson ORDER Before the court is the report and recommendation of United States Magistrate Judge Phillip J. Caraballo recommending that the court dismiss Plaintiff's complaint with prejudice because it violates the injunction previously issued by this court.

(Doc. 5.) Judge Caraballo further recommends that the pending motion for leave to proceed in forma pauperis be denied as moot. (Id.) No party has filed objections to the report and recommendation, resulting in the forfeiture of de novo review by this court. *Nara v. Frank*, 488 F.3d 187, 194 (3d Cir. 2007) (citing *Henderson v. Carlson*, 812 F.2d 874, 878–79 (3d Cir.

1987)). Following an independent review of the report and record, and affording “reasoned consideration” to the uncontested portions of the report, *EEOC v. City of Long Branch*, 866 F.3d 93, 100 (3d Cir. 2017) (quoting *Henderson*, 812 F.2d at 879), to “satisfy [the court] that there is no clear error on the face of the record,” Fed. R. Civ. P. 72(b), advisory committee notes, the court finds that Judge Caraballo's analysis is well-reasoned and fully supported by the record and applicable law.

Accordingly, IT IS ORDERED THAT: 1) The report and recommendation, Doc. 5, is ADOPTED. 2) Plaintiff's complaint, Doc. 1, is DISMISSED WITH PREJUDICE. 3) Plaintiff's motion for leave to proceed in forma pauperis, Doc. 2, is DENIED AS MOOT. 4) The Clerk of Court is directed to close this case. s/Jennifer P. Wilson JENNIFER P. WILSON United States District Judge Middle District of Pennsylvania Dated: December 16, 2025