

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

David Fitzgerald Kelly v. Rebecca Keck, et al.

Kelly · No. 1:25-CV-01516 · Decided January 21, 2026

SUMMARY

The United States District Court for the Middle District of Pennsylvania adopted a magistrate judge’s report and recommendation recommending dismissal of David Fitzgerald Kelly’s complaint. The court dismissed the complaint without prejudice because the requested injunctive relief was barred by the Anti-Injunction Act and the claims were subject to Younger abstention, and directed 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	January 21, 2026
DOCKET	1:25-CV-01516
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed an uncontested report and recommendation recommending dismissal of the complaint and adopted it after independent review.
STANDARD OF REVIEW	Because no objections were filed, the court did not conduct de novo review. It independently reviewed the report and record, afforded reasoned consideration to the uncontested portions, and reviewed for clear error on the face of the record under Federal Rule of Civil Procedure 72(b).
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	David Fitzgerald Kelly v. Rebecca Keck, et al.

TOPICS

- injunctions
- civil procedure
- federalism
- criminal procedure

PRACTICE AREAS

civil procedure

federal courts

injunctive relief

abstention

QUESTIONS PRESENTED

1. Whether the uncontested report and recommendation should be adopted after the plaintiff failed to file objections.
2. Whether the complaint should be dismissed because the requested injunctive relief was barred by the Anti-Injunction Act.
3. Whether the claims should be dismissed under the Younger abstention doctrine.

HOLDINGS

1. A party's failure to object forfeited de novo review, but the district court independently reviewed the report and record, giving reasoned consideration to the uncontested portions and reviewing for clear error.
2. The complaint was dismissed without prejudice because the requested injunctive relief was barred by the Anti-Injunction Act and the claims were barred by the Younger abstention doctrine.

KEY QUOTATIONS

“Plaintiff’s complaint, Doc. 1, is DISMISSED WITHOUT PREJUDICE to his claims being reasserted in a new civil action at the conclusion of his state criminal case.”

FACTUAL BACKGROUND

The plaintiff filed a civil complaint seeking injunctive relief while a state criminal case was pending. The report and recommendation concluded that the requested injunction was barred by the Anti-Injunction Act and that the claims were barred by the Younger abstention doctrine. The district court adopted those conclusions and dismissed without prejudice to refiling after the state criminal case concluded.

PROCEDURAL HISTORY

Chief United States Magistrate Judge Daryl F. Bloom recommended dismissal because the requested injunctive relief was barred by the Anti-Injunction Act and the claims were barred by Younger abstention. No party objected, forfeiting de novo review. The district court afforded reasoned consideration to the uncontested portions of the recommendation, adopted it, dismissed the complaint without prejudice, 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 DAVID FITZGERALD KELLY,: Civil No. 1:25-CV-01516 Plaintiff,: v.: REBECCA KECK, et al.,: Defendants.: Judge Jennifer P. Wilson ORDER Before the court is the report and recommendation of Chief United States Magistrate Judge Daryl F. Bloom recommending that the complaint be dismissed because the injunctive relief sought is barred by the Anti-Injunction Act and the claims are barred by the Younger abstention doctrine.

(Doc. 5.) 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 Chief Judge Bloom’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 WITHOUT PREJUDICE to his claims being reasserted in a new civil action at the conclusion of his state criminal case. 3) 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: January 21, 2026