

**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

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