

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

COREY JACKSON,
Plaintiff,

v.

Case No. CIV-24-00267-JD

JASON HICKS, District Attorney, individual
and official capacities; CORTNIE SIESS,
Assistant District Attorney, individual and
official capacities; MELODY HARPER, Clerk,
individual and official capacities; JUSTIN
SCOTT, Inv., individual and official capacities;
RYAN ANDERSON, OBN, individual and
official capacities; RYAN BLECHER, HSI,
individual and official capacities; LUIS
BONFIL, OBN, individual and official
capacities; CARRIE FARRIS, OSBI,
individual and official capacities; CHISHOLM
HALE, OBN, individual and official capacities;
MIKE HAUGE, HSI, individual and official
capacities; GARRETT HUNT, DPD, individual
and official capacities; RICK LANG, DTF,
individual and official capacities; JENNA
MOONEYHAM, OBN, individual and official
capacities; KEITH POWELL, OBN, individual
and official capacities; JAMES SHEPARD,
OBN, individual and official capacities; RICK
STRAIN, OBN, individual and official
capacities; TIMOTHY VANN, individual and
official capacities; BOBBY BOWEN,
individual and official capacities; JOSHUA
BROWN, Det. DPD, individual and official
capacities; JAVIER MARTINEZ, Jail Admin.,
individual and official capacities; and
CRIMINALIST EDMOND,
Defendants.

ORDER

Plaintiff Corey Jackson (“Jackson”), appearing pro se, filed this action under 42 U.S.C. § 1983 on the pro se prisoner civil rights complaint form. [Doc. No. 1]. The Court referred the matter to United States Magistrate Judge Amanda Maxfield Green for preliminary review. [Doc. No. 4].

Judge Green screened Jackson’s complaint and entered a thorough Report and Recommendation recommending that the Court dismiss the action without prejudice for failure to state a claim upon which relief could be granted. [Doc. No. 12]. Judge Green advised Jackson of his right to file an objection to the Report and Recommendation on or before August 23, 2024, and that a failure to timely object would waive Jackson’s right to appellate review of both factual and legal issues contained in the Report and Recommendation. *Id.* at 6–7 (citing 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b)(2), and *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991)).

To date, the record reflects that Jackson did not file an objection to the Report and Recommendation by the deadline or request an extension of time to do so.¹ Upon its review, the Court adopts the Report and Recommendation.

¹ The Court notes that the Report and Recommendation [Doc. No. 12] was returned as undeliverable to Jackson in the mail. *See* [Doc. Nos. 13, 13-1]. However, Jackson is responsible for notifying the Court of any change of address, and “[p]apers sent by the court will be deemed delivered if sent to the last known address given to the court.” LCvR5.4 (emphasis added); *see* Fed. R. Civ. P. 5(b)(2)(C) (explaining that service is complete upon mailing to the person’s last known address). Thus, the service of the Report and Recommendation was complete upon mailing. *See also Theede v. U.S. Dep’t of Labor*, 172 F.3d 1262, 1267 (10th Cir. 1999) (“The parties are far better situated to know of any errors in their address information, thus, they bear the burden of filing notice of a change of address The fact [plaintiff] is acting pro se does not eliminate this burden.”).

Accordingly, the Court **ACCEPTS** the Report and Recommendation [Doc. No. 12] and **DISMISSES** this action without prejudice. A separate judgment will follow.

IT IS SO ORDERED this 30th day of August 2024.

A handwritten signature in black ink, appearing to read "Jodi W. Dishman", written over a horizontal line.

JODI W. DISHMAN
UNITED STATES DISTRICT JUDGE