

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

RICHARD MATTHEWS,

Plaintiff,

v.

DENISE MARSHALL, *et al.*

Defendant.

Case No. 1:24-cv-0005

ORDER¹

BEFORE THE COURT are Defendant Christopher Kroblin's identically-titled Motions Motion to Dismiss First Amended Complaint, filed on July 17, 2024 and July 18, 2024, respectively, and seeking the same relief. (ECF Nos. 66, 68.)

Magistrate Judge Emile A. Henderson III issued a Report and Recommendation ("R&R") on August 12, 2024, recommending, that Defendant Kroblin's motions be granted and the claims against Defendant Kroblin dismissed for lack of jurisdiction under Rule 12(b)(1) of the Federal Rules of Civil Procedure. (ECF No. 76.) On August 22, 2024, Plaintiff Richard Marshall filed timely Objections to the R&R.² (ECF No. 81.) The Court, having conducted a de novo review of the record and having made an independent determination finding no error, will adopt the R&R.³ Accordingly, it is hereby

¹ Due to the retirement of the judge previously assigned to this case, the undersigned, exercising his authority as Chief Judge of the District Court, reassigned this case to himself on February 17, 2026.

² Plaintiff's Objections raise new factual allegations and appear to seek reconsideration in the interest of justice. The Objections did not address the legal basis for the R&R's recommendations, nor present any legal authority under which to challenge the R&R's conclusion. Accordingly, the Court finds the Objections to be without merit.

³ See *Hill v. Barnacle*, 655 Fed. Appx. 142, 148 (3d Cir. 2016) (opining that the district court is not required to make separate findings or conclusions when reviewing a Magistrate Judge's report and recommendation de novo under 28 U.S.C. § 636(b)) (citing *Elmendorf Grafica, Inc. v. D.S. America, Inc.*, 48 F.3d 46, 49-50 (1st Cir. 1995) (opining that "[28 U.S.C. § 636(b)] authorizes the district court to adopt in whole as well as in part the

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ORDERED that Plaintiff's Objections to the Magistrate Judge's Report and Recommendation, filed on August 22, 2024, ECF No. 81, are **OVERRULED**; it is further

ORDERED that the Magistrate Judge's Report and Recommendation, filed on August 12, 2024, ECF No. 76, is **APPROVED** and **ADOPTED** as an Order of this Court as if fully set forth herein; it is further

ORDERED that Defendant Kroblin's identically-titled Motions to Dismiss First Amended Complaint, filed on July 17, 2024 and July 18, 2024, ECF Nos. 66, 68, are **GRANTED**; it is further

ORDERED that Plaintiff's claims asserted against Defendant Kroblin are **DISMISSED** under Rule 12(b)(1) for lack of jurisdiction; it is further

ORDERED that the Clerk of Court is directed to mark this case **TERMINATED** as to Defendant Kroblin only.

Dated: March 31, 2026

/s/ Robert A. Molloy
ROBERT A. MOLLOY
Chief Judge

proposed findings and recommendations of the magistrate judge. Where, as here, the magistrate judge decided on an undisputed factual record, the district court was certainly not required to rehash the magistrate judge's reasoning. The role of the magistrate judge is 'to relieve courts of unnecessary work.'" (citations omitted).