

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-14162
Non-Argument Calendar

DOROTHY A. ARTIS,

Plaintiff-Appellant,

versus

ATLANTA CHEESECAKE COMPANY,

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of Georgia
D.C. Docket No. 1:25-cv-04344-LMM

Before ROSENBAUM, NEWSOM, and GRANT, Circuit Judges.

PER CURIAM:

Dorothy Artis, proceeding pro se, appeals the dismissal of her employment discrimination suit against Atlanta Cheesecake Company. Artis alleged discrimination in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-2(a), and the Americans with Disabilities Act (ADA), 42 U.S.C. § 12101, et seq., and retaliation in violation of Title VII, 42 U.S.C. § 2000e-3(a), and the ADA, 42 U.S.C. § 12203(a).

Under Eleventh Circuit Rule 3-1, a party who “fail[s] to object to a magistrate judge’s findings or recommendations contained in a report and recommendation [(R&R)] in accordance with the provisions of 28 U.S.C. § 636(b)(1) waives the right to challenge on appeal the district court’s order based on unobjected-to factual and legal conclusions,” so long as “the party was informed of the time period for objecting and the consequences on appeal for failing to object.” 11th Cir. R. 3-1. Pro se litigants, no less than counseled parties, “must comply” with this kind of “procedural rule[.]” *McNair v. Johnson*, 143 F.4th 1301, 1307 (11th Cir. 2025). All that said, if a party doesn’t object to the magistrate judge’s R&R, we “may review on appeal for plain error if necessary in the interests of justice.” 11th Cir. R. 3-1 (emphasis added).

Nevertheless, reviewing waived objections for plain error “rarely applies in civil cases.” *Smith v. Marcus & Millichap, Inc.*, 106 F.4th 1091, 1099 (11th Cir. 2024) (citation modified). We won’t

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conduct a plain-error analysis unless the appellant argues in her initial brief that reviewing waived objections is “necessary and in the interests of justice.” *See id.* (quotation marks omitted).

Here, Artis did not timely object to the R&R, despite being informed of the time period to object and the consequences of failing to do so.¹ She has thus waived her right to challenge on appeal the R&R’s findings and conclusions that were adopted by the district court—in particular, the conclusion that her complaint should be dismissed with prejudice. *See* 11th Cir. R. 3-1. Artis does not argue in her initial brief that justice requires review of her waived objection to this conclusion, so we will not review her challenge to the district court’s with-prejudice dismissal. *See Smith*, 106 F.4th at 1099.

AFFIRMED.

¹ Artis belatedly objected to the R&R, but her objections came after the 14-day window for filing objections had passed and the district court had entered judgment.