

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA, EASTERN DIVISION

Alicia Wright v. E. Ricolcol

No. 5:24-cv-01863-FWS (AS), United States District Court for the Central District of California, Eastern
Division (July 3, 2025)

SUMMARY

The United States District Court for the Central District of California adopted a magistrate judge’s Report and Recommendation in a habeas corpus action under 28 U.S.C. § 2241. The court overruled the petitioner’s objections, granted the respondent’s motion to dismiss, denied the petition, and directed that the action be dismissed without prejudice.

CASE DETAILS

COURT	United States District Court for the Central District of California, Eastern Division
WRITING FOR THE COURT	Fred W. Slaughter
JURISDICTION	United States District Court for the Central District of California, Eastern Division
DECIDED	July 3, 2025
DOCKET	5:24-cv-01863-FWS (AS)
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation de novo after petitioner filed objections in a federal habeas proceeding under 28 U.S.C. § 2241.
STANDARD OF REVIEW	De novo review of the portions of the magistrate judge's Report and Recommendation to which specific objections were made; arguments not specifically objected to are deemed waived.
PRECEDENTIAL VALUE	Unknown; district court order
PARTIES	Alicia Wright v. E. Ricolcol, Warden, Victorville

TOPICS

- federal habeas corpus
- motions to dismiss
- civil procedure

PRACTICE AREAS

federal habeas corpus

civil procedure

magistrate judge recommendations

QUESTIONS PRESENTED

1. Whether the district court was required to conduct de novo review of the portions of the magistrate judge's Report and Recommendation challenged by petitioner's specific objections.
2. Whether petitioner's objections warranted rejection or modification of the magistrate judge's recommendation to grant the motion to dismiss and dismiss the § 2241 action without prejudice.

HOLDINGS

1. A district judge must conduct de novo review of the portions of a magistrate judge's Report and Recommendation to which a party makes proper, specific written objections; absent a proper objection, challenges to a finding are waived.
2. The petitioner's objections did not warrant modification of the magistrate judge's recommendation; the motion to dismiss was granted, the petition was denied, and the action was dismissed without prejudice.

KEY QUOTATIONS

“the district judge must determine de novo any part of the magistrate judge’s disposition that has been properly objected to” (at 1)

“Objections to a R&R are not a vehicle to relitigate the same arguments carefully considered and rejected by the Magistrate Judge.” (at 2)

FACTUAL BACKGROUND

Petitioner challenged a Bureau of Prisons policy requiring an inmate with a medium pattern score to wait three years before transitioning to a lower pattern score. Petitioner asserted that the policy conflicted with the First Step Act because it limited access to programs, including the Residential Drug Abuse Program, that could reduce the length of an inmate's sentence. The respondent moved to dismiss the § 2241 petition.

PROCEDURAL HISTORY

Petitioner filed a § 2241 petition challenging a Bureau of Prisons policy concerning the waiting period for transition to a lower pattern score and its alleged effect on access to programs affecting sentence reduction. Respondent moved to dismiss. The magistrate judge recommended granting the motion and dismissing the action without prejudice. After petitioner objected, the district court conducted de novo review, overruled the objections, adopted the Report and Recommendation, granted the motion to dismiss, denied the petition, and ordered the action dismissed without prejudice.

DISPOSITION

dismissed

CASES CITED

- United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003)
- Chith v. Haynes, 2021 WL 4744596, at *1 (W.D. Wash. Oct. 12, 2021)

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