

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Barnes v. Orozco

Barnes · No. 2:25-cv-0863 WBS CSK P · Decided July 22, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations in a habeas corpus action under 28 U.S.C. § 2254. The court dismissed the action without prejudice for failure to prosecute after the petitioner did not file objections.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	July 22, 2025
DOCKET	2:25-cv-0863 WBS CSK P
DISPOSITION	dismissed
PROCEDURAL POSTURE	A county prisoner proceeding pro se filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254. After a magistrate judge issued findings and recommendations, petitioner filed no objections. The district court adopted the findings and recommendations and dismissed the action without prejudice for failure to prosecute.
STANDARD OF REVIEW	The court presumed that any findings of fact were correct and reviewed the magistrate judge's conclusions of law de novo.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status not stated
PARTIES	Antoine Deshawn Barnes v. Rosemary Orozco, et al.

TOPICS

- federal habeas corpus
- post-conviction relief
- civil procedure

PRACTICE AREAS

- Federal habeas corpus
- Post-conviction relief
- Civil procedure

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's findings and recommendations when petitioner filed no objections.
2. Whether the habeas action should be dismissed without prejudice for failure to prosecute.

HOLDINGS

1. The court adopted the magistrate judge's findings and recommendations in full after reviewing the file and determining that they were supported by the record and the magistrate judge's analysis.
2. The action was dismissed without prejudice for failure to prosecute.

FACTUAL BACKGROUND

Antoine Deshawn Barnes, a county prisoner proceeding pro se, filed an application for a writ of habeas corpus under 28 U.S.C. § 2254. The magistrate judge issued findings and recommendations, which were served on Barnes with notice that objections were due within fourteen days. Barnes did not file objections.

PROCEDURAL HISTORY

The matter was referred to a United States Magistrate Judge under 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. The magistrate judge filed findings and recommendations on June 25, 2025, which were served on petitioner with notice of the fourteen-day objection period. Petitioner filed no objections, and the district court adopted the findings and recommendations in full and dismissed the action without prejudice.

DISPOSITION

dismissed

CASES CITED

- Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979)
- Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983)