

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
CALIFORNIA

Hoffer v. Gamboa

Hoffer · No. No. 2:25-CV-01253-DC-DMC (HC) · Decided December 31, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations in Michael Hoffer’s habeas corpus proceeding. The court granted respondent Martin Gamboa’s motion to dismiss, dismissed the petition, declined to issue a certificate of appealability, and directed the clerk to close the case. The order was issued after neither party filed objections.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Eastern District of California                                                                                                                                                                                                                                                                                                                       |
| WRITING FOR THE COURT | Dena Coggins                                                                                                                                                                                                                                                                                                                                                                              |
| JURISDICTION          | United States District Court for the Eastern District of California                                                                                                                                                                                                                                                                                                                       |
| DECIDED               | December 31, 2025                                                                                                                                                                                                                                                                                                                                                                         |
| DOCKET                | No. 2:25-CV-01253-DC-DMC (HC)                                                                                                                                                                                                                                                                                                                                                             |
| DISPOSITION           | dismissed                                                                                                                                                                                                                                                                                                                                                                                 |
| PROCEDURAL POSTURE    | Petitioner sought federal habeas relief under 28 U.S.C. § 2254. After a magistrate judge issued findings and recommendations recommending dismissal, neither party objected. The district court conducted de novo review, adopted the findings and recommendations, granted respondent's motion to dismiss, dismissed the petition, and declined to issue a certificate of appealability. |
| STANDARD OF REVIEW    | De novo review of the magistrate judge's findings and recommendations under 28 U.S.C. § 636(b)(1)(C) and Local Rule 304.                                                                                                                                                                                                                                                                  |
| PRECEDENTIAL VALUE    | unknown                                                                                                                                                                                                                                                                                                                                                                                   |
| PARTIES               | Michael Hoffer v. Martin Gamboa                                                                                                                                                                                                                                                                                                                                                           |

TOPICS

- federal habeas corpus
- post-conviction relief
- motions to dismiss
- appellate procedure
- writ of certiorari

## PRACTICE AREAS

federal habeas corpus

post-conviction relief

appellate procedure

## QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's findings and recommendations after conducting de novo review when no party filed objections.
2. Whether the pending § 2254 habeas petition should be dismissed on the grounds identified in the adopted findings and recommendations.
3. Whether a certificate of appealability should issue after dismissal of the habeas petition.

## HOLDINGS

1. The district court adopted the magistrate judge's findings and recommendations in full after conducting de novo review and finding them supported by the record and proper analysis.
2. The petition for a writ of habeas corpus was dismissed, and respondent's motion to dismiss was granted.
3. No certificate of appealability issued because reasonable jurists would not find the court's determination that the petition must be dismissed debatable or wrong.

## KEY QUOTATIONS

*“Where, as here, the court denies habeas relief on procedural grounds without reaching the underlying constitutional claims, the court should issue a certificate of appealability if “jurists of reason would find it debatable whether the petition states valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether the district court was correct in its procedural ruling.””* (at 1)

## FACTUAL BACKGROUND

Michael Hoffer was a state prisoner who filed an application for a writ of habeas corpus under 28 U.S.C. § 2254. The district court's order does not describe the underlying conviction or constitutional claims because it adopted the magistrate judge's findings and recommendations without reproducing their substantive analysis. The parties did not object to the findings and recommendations.

## PROCEDURAL HISTORY

Michael Hoffer, a state prisoner proceeding pro se, filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254. The matter was referred to a magistrate judge, who filed findings and recommendations on November 12, 2025. No objections were filed within the permitted fourteen-day period. The district court reviewed the matter de novo, adopted the findings and recommendations in full, granted the motion to dismiss, dismissed the petition, declined to issue a certificate of appealability, and directed the clerk to close the case.

## DISPOSITION

dismissed

## CASES CITED

- Miller-El v. Cockrell, 537 U.S. 322, 335-36 (2003)
- Slack v. McDaniel, 529 U.S. 473, 484 (2000)

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