

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Aaron J. Cripe v. Erin Reyes

Cripe · No. 2:23-cv-00593-CL · Decided March 31, 2026

SUMMARY

The United States District Court for the District of Oregon adopts a magistrate judge’s Findings and Recommendation recommending denial of Aaron J. Cripe’s First Amended Petition for a writ of habeas corpus. The court found no error after no timely objections were filed, denied the petition, and denied a Certificate of Appealability.

CASE DETAILS

COURT	United States District Court for the District of Oregon
WRITING FOR THE COURT	Mustafa T. Kasubhai
JURISDICTION	United States District Court for the District of Oregon
DECIDED	March 31, 2026
DOCKET	2:23-cv-00593-CL
DISPOSITION	denied
PROCEDURAL POSTURE	Petitioner sought federal habeas corpus relief under 28 U.S.C. § 2254. After the magistrate judge recommended denial of the First Amended Petition, the district court reviewed the matter under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b) and adopted the Findings and Recommendation.
STANDARD OF REVIEW	When a party objects to a magistrate judge’s findings and recommendation, the district court conducts a de novo determination of the portions objected to under 28 U.S.C. § 636(b)(1). In the absence of objections, the district court has no obligation to review the report, although it may conduct sua sponte review and is advised to review for clear error on the face of the record.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Aaron J. Cripe v. Erin Reyes

TOPICS

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

PRACTICE AREAS

Federal habeas corpus

Post-conviction relief

Federal civil procedure

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's Findings and Recommendation recommending denial of the First Amended Petition for Writ of Habeas Corpus.
2. Whether Petitioner made a substantial showing of the denial of a constitutional right sufficient to warrant a certificate of appealability.

HOLDINGS

1. The court adopted the Findings and Recommendation after reviewing the record and finding no error, and denied the First Amended Petition for Writ of Habeas Corpus.
2. The court denied a certificate of appealability because Petitioner had not made a substantial showing of the denial of a constitutional right.

KEY QUOTATIONS

"The Court ADOPTS Magistrate Judge Clarke's Findings and Recommendation, ECF No. 37. Petitioner's First Amended Petition for Writ of Habeas Corpus, ECF No. 18, is therefore DENIED."

"A Certificate of Appealability is also DENIED on grounds that Petitioner has not made a substantial showing of the denial of a constitutional right."

FACTUAL BACKGROUND

Aaron J. Cripe filed a First Amended Petition for Writ of Habeas Corpus. Magistrate Judge Clarke recommended that the petition be denied. No party timely objected to the Findings and Recommendation, and the district court found no error in the record.

PROCEDURAL HISTORY

Magistrate Judge Clarke issued Findings and Recommendation on December 10, 2025, recommending denial of Petitioner's First Amended Petition for Writ of Habeas Corpus. No party timely objected. The district court reviewed the record, found no error, adopted the Findings and Recommendation, denied the petition, and denied a certificate of appealability.

DISPOSITION

denied

CASES CITED

- United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003)
- Thomas v. Arn, 474 U.S. 140, 149 (1985)

OPINION

Cripe

PER CURIAM.

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

AARON J. CRIPE, Case No. 2:23-cv-00593-CL Petitioner, ORDER v.

ERIN REYES,

Respondent. KASUBHAI, United States District Judge: This matter is before the Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). Magistrate Judge Clarke issued a Findings and Recommendation on December 10, 2025, in which he recommends that this Court deny Petitioner's First Amended Petition for Writ of Habeas Corpus. F&R, ECF No. 37. When a party objects to a magistrate judge's Findings and Recommendations, the district court must "make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1). In the absence of objections, the district court has no obligation to review the magistrate judge's report. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). However, the district court is not precluded from sua sponte review in such circumstances, *Thomas v. Arn*, 474 U.S. 140, 149 (1985), and the Advisory Committee notes to Federal Rule of Civil Procedure 72(b) recommend that the court should review for "clear error on the face of the record." Fed. R. Civ. P. 72(b) advisory committee's note to 1983 amendment. Here, no party timely objected to the Magistrate Judge's Findings and Recommendation. The Court has reviewed the record and finds no error.

CONCLUSION

The Court ADOPTS Magistrate Judge Clarke's Findings and Recommendation, ECF No. 37. Petitioner's First Amended Petition for Writ of Habeas Corpus, ECF No. 18, is therefore DENIED. A Certificate of Appealability is also DENIED on grounds that Petitioner has not made a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(2). IT IS SO ORDERED. DATED this 31st day of March 2026. s/ Mustafa T. Kasubhai MUSTAFA T. KASUBHAI (he/him) United States District Judge