

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

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