

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Angelo J. Andrews v. Sacramento Sheriff County Jail

Andrews v. Sacramento Sheriff County Jail · No. 2:25-cv-01903-DC-SCR (HC) · Decided December 11, 2025

OPINION

Angelo J. Andrews v. Sacramento Sheriff County Jail

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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11 ANGELO J. ANDREWS, No. 2:25-cv-01903-DC-SCR (HC)

12 Petitioner,

13 v. ORDER ADOPTING FINDINGS AND

RECOMMENDATIONS

14 SACRAMENTO SHERIFF COUNTY

JAIL, (Doc. No. 4) 15 Respondent. 16 17 18 Petitioner Angelo J. Andrews, a county jail inmate proceeding pro se, has filed an 19 application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a 20 United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 21 On September 3, 2025, the magistrate judge filed findings and recommendations, which 22 were served on Petitioner and contained notice to Petitioner that any objections to the findings 23 and recommendations were to be filed within twenty-one (21) days. (Doc. No. 4.) Petitioner has 24 not filed objections to the findings and recommendations, and the time to do so has passed. 25 In accordance with the provisions of 28 U.S.C. § 636(b)(1) (C), this court has conducted a 26 de novo review of the case. Having carefully reviewed the entire file, the court concludes that the 27 findings and recommendations are supported by the record and by proper analysis. 28 Having concluded that the pending petition must be dismissed, the court also declines to 1 | issue a certificate of appealability. A petitioner seeking writ of habeas corpus has no absolute 2 | right to appeal; he may appeal only in limited circumstances. See 28 U.S.C. § 2253; Miller-El v. 3 | Cockrell, 537 U.S. 322, 335-36 (2003). If a court denies a petitioner's petition, the court may only 4 | issue a certificate of appealability when a petitioner makes a substantial showing of the denial of 5 | a constitutional right. 28 U.S.C. § 2253(c)(2). Where, as here, the court denies habeas relief on 6 | procedural grounds without reaching the underlying constitutional claims, the court should issue a 7 | certificate of appealability if “jurists of reason would find it debatable whether the petition states 8 | a valid claim of the denial of a

constitutional right and that jurists of reason would find it 9 | debatable whether the district court was correct in its procedural ruling.” Slack v. McDaniel, 529 10 | U.S. 473, 484 (2000). In the present case, the court finds that reasonable jurists would not find the 11 | court's determination that the pending petition must be dismissed to be debatable or wrong. Thus, 12 | the court declines to issue a certificate of appealability. 13 Accordingly, IT IS HEREBY ORDERED that: 14 1. The findings and recommendations filed on September 3, 2025 (Doc. No. 4) are 15 ADOPTED IN FULL; 16 2. This action is dismissed without prejudice; 17 3. The court declines to issue a certificate of appealability; and 18 4. The Clerk of the Court is directed to close this case. 19 20 IT IS SO ORDERED. □

| Dated: _December 10, 2025 _ DUC Dena Coggins 22 United States District Judge 23 24 25 26 27 28