

**UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF  
MISSISSIPPI, EASTERN DIVISION**

**Nicolas Bolanos v. Burl Cain**

Bolanos v. Cain · No. 2:25-cv-53-TBM-ASH · Decided March 3, 2026

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**OPINION**

Nicolas Bolanos v. Burl Cain

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

NICOLAS BOLANOS PETITIONER

v. CIVIL ACTION NO. 2:25-cv-53-TBM-ASH

BURL CAIN RESPONDENT

**ORDER ADOPTING REPORT AND RECOMMENDATION**

This matter is before the Court on the submission of the Report and Recommendation [12] entered by United States Magistrate Judge Andrew S. Harris on December 30, 2025. Judge Harris recommends that Burl Cain’s Motion to Dismiss [11] be granted and that Nicolas Bolanos’ Petition for Writ of Habeas Corpus [1] be dismissed with prejudice. A copy of the Report and Recommendation [12] was mailed to Bolanos at the address listed on the docket on December 30, 2025. Bolanos has not filed an objection to the Report and Recommendation, and the time for filing an objection has expired. “When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” FED. R. CIV. P. 72(b) advisory committee’s note to 1983 addition (citations omitted); see *Casas v. Aduddell*, 404 F. App’x 879, 881 (5th Cir. 2010) (“When a party fails timely to file written objections to the magistrate judge’s proposed findings, conclusions, and recommendation, that party is barred from attacking on appeal the unobjected-to proposed findings and conclusions which the district court accepted, except for plain error”) (citing *Douglass v. United Serv. Auto Ass’n*, 79 F.3d 1415, 1428-29 (5th Cir. 1996) (en banc); 28 U.S.C. § 636(b)(1)). Having considered Judge Harris’ Report and Recommendation, the Court finds that it is neither clearly erroneous nor contrary to law. IT IS THEREFORE ORDERED AND ADJUDGED that the Report and Recommendation [12] entered by United States Magistrate Judge Andrew S. Harris on December 30, 2025, is ADOPTED as the opinion of the Court. IT IS FURTHER ORDERED AND ADJUDGED that Respondent Burl Cain’s Motion to Dismiss [11] is GRANTED. IT IS FURTHER ORDERED AND ADJUDGED that Nicolas Bolanos’ Petition for Writ of Habeas Corpus [1] is DISMISSED WITH PREJUDICE. THIS, the 3rd day of March, 2026.

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TAYLOR B. McNEEL  
UNITED STATES DISTRICT JUDGE

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