

DISTRICT COURT OF THE VIRGIN ISLANDS, DIVISION OF ST. CROIX

In re: Peter Gakuba

In re Gakuba · No. 1:25-cv-0042 · Decided April 2, 2026

OPINION

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS DIVISION OF ST. CROIX IN RE: PETER GAKUBA,)) Petitioner.) Case No. 1:25-cv-0042) ORDER1 BEFORE THE COURT is the Report and Recommendation (“R&R”) by Magistrate Judge Emile A. Henderson III, filed on March 10, 2026, recommending dismissal of the Petitioner Peter Gakuba’s (“Petitioner”) Petition for Writ of Habeas Corpus (ECF No. 1) and Motion for 2254 Habeas Corpus Writ (ECF No. 8) for lack of subject matter jurisdiction as second or successive petitions.

(ECF No. 19.) Plaintiff filed a timely Objection on March 19, 2026. (ECF No. 22.). The Court having conducted a de novo review of this matter making an independent determination finding no error in the R&R,² it is hereby ORDERED that Petitioner Peter Gakuba’s Objection to the Magistrate Judge’s Report and Recommendation, filed on March 19, 2026, ECF No. 22, is OVERRULED; it is further ORDERED that the Magistrate Judge’s Report and Recommendation, ECF No. 19, is APPROVED and ADOPTED as an Order of this Court as if fully set forth herein; it is further ORDERED that the Petitioner’s Petition for Writ of Habeas Corpus, filed on December 11, 2025, ECF No. 1, is DISMISSED WITH PREJUDICE; it is further ORDERED that the Petitioner’s Motion for 2254 Habeas Corpus Writ, filed on December 11, 2025, ECF No. 8, is DISMISSED WITH PREJUDICE; it is further ORDERED that a certificate of appealability is DENIED; it is further 1 Due to the retirement of the judge previously assigned to this case, the undersigned, exercising his authority as Chief Judge of the District Court, reassigned this case to himself on February 17, 2026.

2 See *Hill v. Barnacle*, 655 Fed. Appx. 142, 148 (3d Cir. 2016) (opining that the district court is not required to make separate findings or conclusions when reviewing a Magistrate Judge’s report and recommendation de novo under 28 U.S.C. § 636(b)) (citing *Elmendorf Grafica, Inc. v. D.S. America, Inc.*, 48 F.3d 46, 49-50 (1st Cir. 1995) (opining that “[28 U.S.C. § 636(b)] authorizes the district court to adopt in whole as well as in part the proposed findings and recommendations of the magistrate judge.

Where, as here, the magistrate judge decided on an undisputed factual record, the district court was certainly not required to rehash the magistrate judge’s reasoning. The role of the magistrate judge is ‘to relieve courts of unnecessary work.’”) (citations omitted). Page 2 of 2 ORDERED that a copy of this Order shall be served on Peter Gakuba at his last known address provided to the

Court by certified mail return receipt and that a copy of the return receipt be filed on the docket; and it is further ORDERED that the Clerk of Court is directed to CLOSE this case.

Dated: April 2, 2026 /s/ Robert A. Molloy ROBERT A. MOLLOY Chief Judge