

**UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
WEST VIRGINIA**

Ryan Christopher Fultz v. Warden Heckard

Fultz v. Heckard · No. 5:23-cv-00281 · Decided December 18, 2025

OPINION

RYAN CHRISTOPHER FULTZ v. WARDEN HECKARD

PER CURIAM.

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY DIVISION**

RYAN CHRISTOPHER FULTZ,

Petitioner, v. CIVIL ACTION NO. 5:23-cv-00281

WARDEN HECKARD

FCI Beckley, Respondent.

ORDER

Pending before the Court is Petitioner Ryan Christopher Fultz’s (“Petitioner”) Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241. (ECF No. 1). By Standing Order filed on March 30, 2023, this matter was referred to United States Magistrate Judge Dwane L. Tinsley for submission of proposed findings and a recommendation (“PF&R”). (ECF No. 14). Magistrate Judge Tinsley filed his PF&R on September 17, 2025, recommending that this Court dismiss without prejudice Petitioner’s § 2241 petition and this civil action for lack of jurisdiction. (ECF No. 14.) The Court is not required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Failure to file timely objections constitutes a waiver of de novo review and Petitioner’s right to appeal this Court’s Order. 28 U.S.C. § 636(b)(1); see also *Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir.1989); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984). In addition, this Court need not conduct a de novo review when a party “makes general and conclusory objections that do not direct the Court to a specific error in the magistrate’s proposed findings and recommendations.” *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982). Objections to the PF&R in this case were due on October 6, 2025. (ECF No. 14). To date, no objections have been filed, thus constituting a waiver of de novo review and Petitioner’s right to appeal this Court’s order. Accordingly, the Court **ADOPTS** the PF&R, (ECF No. 14), and **DISMISSES WITHOUT PREJUDICE** the Petition under 28 U.S.C. § 2241 for Writ of Habeas Corpus, (ECF No. 1), and this civil action for lack of jurisdiction. The Clerk is **DIRECTED** to remove this matter from the Court’s active docket. **IT IS**

SO ORDERED. The Court DIRECTS the Clerk to send a copy of this Order to counsel of record and any unrepresented party. ENTER: December 18, 2025

THOMAS E. JOHNSTON

UNITED STATES DISTRICT JUDGE

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