

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Gaddy v. Horn

No. 1:25-cv-0490 JLT SKO (HC), United States District Court for the Eastern District of California (June 12, 2025)

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations and dismissed Michael Gaddy’s 28 U.S.C. § 2254 petition with prejudice. The court concluded that his claim concerning the timing of a California parole suitability hearing did not support federal habeas relief and declined to issue a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 12, 2025
DOCKET	1:25-cv-0490 JLT SKO (HC)
DISPOSITION	dismissed
PROCEDURAL POSTURE	State prisoner petition for a writ of habeas corpus under 28 U.S.C. § 2254; the district court reviewed and adopted a magistrate judge's findings and recommendations and dismissed the petition with prejudice.
STANDARD OF REVIEW	De novo review under 28 U.S.C. § 636(b)(1) of the magistrate judge's findings and recommendations. For a certificate of appealability, the petitioner must make a substantial showing of the denial of a constitutional right.
PRECEDENTIAL VALUE	unpublished district court order; precedential status unknown
PARTIES	Michael Gaddy v. P. Horn

TOPICS

- federal habeas corpus
- post-conviction relief
- due process
- appellate procedure
- standard of review

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Gaddy's claim concerning the timing of a California parole suitability hearing stated a cognizable federal habeas claim under 28 U.S.C. § 2254.
2. Whether the petition should be summarily dismissed with prejudice under Rule 4 of the Rules Governing Section 2254 Cases.
3. Whether Gaddy was entitled to a certificate of appealability.

HOLDINGS

1. The petition did not state a cognizable claim for federal habeas relief because the challenge to the timing of a parole suitability hearing did not sound in habeas and was clearly frivolous.
2. The petition for a writ of habeas corpus was dismissed with prejudice.
3. The court declined to issue a certificate of appealability because Gaddy did not make a substantial showing of the denial of a constitutional right and reasonable jurists would not debate the court's resolution.

KEY QUOTATIONS

“claim does not sound in habeas and is clearly frivolous.” (at 1)

“Reasonable jurists would not find the Court’s determination that Petitioner is not entitled to federal habeas corpus relief debatable, wrong, or deserving of encouragement to proceed further.” (at 2)

FACTUAL BACKGROUND

Michael Gaddy is a California state prisoner proceeding pro se and in forma pauperis. He alleged that he had not yet received a parole suitability hearing under California law, violating his due process rights. The findings and recommendations noted that, under California law, his minimum term before parole eligibility was 32 years from 2007, or 2039, and concluded that his assertion that he had been unconstitutionally denied parole was duplicative and clearly without merit.

PROCEDURAL HISTORY

Gaddy filed a § 2254 petition alleging that he had not received a parole suitability hearing under California law and that the delay violated due process. The magistrate judge conducted a Rule 4 preliminary review, recommended summary dismissal with prejudice, and served the findings and recommendations on Gaddy. Gaddy filed no objections, and the district court conducted de novo review, adopted the recommendations, dismissed the petition with prejudice, closed the case, and declined to issue a certificate of appealability.

DISPOSITION

dismissed

CASES CITED

- Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)
- Miller-El v. Cockrell, 537 U.S. 322, 335-336 (2003)
- Slack v. McDaniel, 529 U.S. 473, 484 (2000)
- Barefoot v. Estelle, 463 U.S. 880, 893 (1983)

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