

**UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA**

Delmond Cozart v. Oklahoma State Reformatory

Cozart · No. CIV-26-183-J · Decided March 23, 2026

OPINION

Cozart

PER CURIAM.

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA
DELMOND COZART,)

) Petitioner,)) v.) Case No. CIV-26-183-J)

OKLAHOMA STATE REFORMATORY,)

) Respondent.)

ORDER

Petitioner, a state inmate appearing pro se, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 [Doc. No. 1] and an application for leave to proceed in forma pauperis [Doc. No. 2]. The matter was referred for initial proceedings to United States Magistrate Judge Suzanne Mitchell consistent with 28 U.S.C. § 636(b)(1)(B), (C). On review, Judge Mitchell recommends that the Court deny Petitioner's application on grounds that he has sufficient funds to pay the \$5.00 filing fee. [Doc. No. 6]. Despite being cautioned that he must file any objection no later than March 2, 2026, Petitioner did not object and has waived his right to appellate review of the factual and legal issues addressed in the Report and Recommendation. See *Casanova v. Ulibarri*, 595 F.3d 1120, 1123 (10th Cir. 2010). Accordingly, the Court ADOPTS the Report and Recommendation [Doc. No. 6] and DENIES Petitioner's application for leave to proceed in forma pauperis [Doc. No. 2]. If Petitioner does not pay the \$5.00 filing fee by April 13, 2026, the Court will dismiss his Petition without prejudice. IT IS SO ORDERED this 23rd day of March, 2026. TR mm. 257

BERNARD M. JONES. II

UNITED STATES DISTRICT JUDGE