

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Laurencio Martinez Quintero v. Janan Cavagnoloas

Quintero v. Cavagnoloas · No. 2:20-cv-00200-TLN-CKD · Decided September 25, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations in a 28 U.S.C. § 2254 habeas proceeding. The court granted the respondent’s motion to dismiss, granted a stay under Kelly v. Small, denied a Rhines v. Weber stay for lack of good cause, administratively stayed the case, and directed the petitioner to provide periodic status reports and later file an amended petition.

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	September 25, 2025
DOCKET	2:20-cv-00200-TLN-CKD
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner sought federal habeas relief under 28 U.S.C. § 2254. The district court reviewed a magistrate judge's findings and recommendations after the parties were given an opportunity to object.
STANDARD OF REVIEW	The court presumed the magistrate judge's findings of fact were correct and reviewed the magistrate judge's conclusions of law de novo.
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential
PARTIES	Laurencio Martinez Quintero v. Janan Cavagnoloas

TOPICS

- [federal habeas corpus](#)
- [post-conviction relief](#)
- [motions to dismiss](#)
- [state post-conviction relief](#)
- [civil procedure](#)

PRACTICE AREAS

- [federal habeas corpus](#)
- [post-conviction relief](#)
- [civil procedure](#)

QUESTIONS PRESENTED

1. Whether the magistrate judge's findings and recommendations should be adopted after review of the record and the absence of objections.
2. Whether respondent's motion to dismiss should be granted.
3. Whether petitioner's proceedings should be stayed under the Kelly procedure or the Rhines procedure.
4. What procedures should govern the case while petitioner exhausts his state-court remedies.

HOLDINGS

1. The district court adopted the magistrate judge's findings and recommendations in full because they were supported by the record and the magistrate judge's analysis.
2. Respondent's motion to dismiss was granted.
3. Petitioner was granted a stay of the proceedings to the extent authorized by the Kelly procedure.
4. A stay under the Rhines procedure was denied because petitioner failed to show good cause.

KEY QUOTATIONS

“Once the stay of this case is lifted, Petitioner will be granted leave to file an amended 28 U.S.C. § 2254 application containing all exhausted claims.” (at 2)

FACTUAL BACKGROUND

Petitioner is a state prisoner proceeding pro se who filed a federal habeas application under 28 U.S.C. § 2254. The order indicates that he needed to pursue a habeas petition in the California Supreme Court to exhaust his state-court remedies before proceeding on all of his federal claims.

PROCEDURAL HISTORY

Petitioner filed an application for a writ of habeas corpus under 28 U.S.C. § 2254. The matter was referred to a magistrate judge, who issued findings and recommendations on August 12, 2025. Petitioner filed a response, but neither party filed objections. The district court adopted the findings and recommendations, granted respondent's motion to dismiss, granted a stay under Kelly v. Small, denied a stay under Rhines v. Weber for lack of good cause, and administratively stayed the case pending exhaustion of state remedies.

DISPOSITION

other

CASES CITED

- Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979)
- Britt v. Simi Valley Unified School District, 708 F.2d 452, 454 (9th Cir. 1983)
- Kelly v. Small, 315 F.3d 1063 (9th Cir. 2003)
- Rhines v. Weber, 544 U.S. 269 (2005)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 11 LAURENCIO MARTINEZ QUINTERO, No. 2:20-cv-00200-TLN-CKD 12
Petitioner, 13 v. ORDER 14 JANAN CAVAGNOLOAS, 15 Respondent. 16 17 Petitioner
Laurencio Martinez Quintero (“Petitioner”), a state prisoner proceeding pro se, 18 filed an
application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

The matter was 19 referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)
(B) and Local Rule 20 302. 21 On August 12, 2025, the magistrate judge filed findings and
recommendations herein 22 which were served on all parties and which contained notice to all
parties that any objections to 23 the findings and recommendations were to be filed within
fourteen days.

Plaintiff filed a 24 response to the findings and recommendations. (ECF No. 72.) Neither party
filed objections to 25 the findings and recommendations. 26 The court presumes that any findings
of fact are correct. See *Orand v. United States*, 602 27 F.2d 207, 208 (9th Cir. 1979).

The magistrate judge’s conclusions of law are reviewed de novo. 28 See *Britt v. Simi Valley
Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). The Court has 1 reviewed the file and
finds the findings and recommendations to be supported by the record and 2 by the magistrate
judge’s analysis. 3 Accordingly, IT IS HEREBY ORDERED that: 4 1.

The findings and recommendations (ECF No. 71) are adopted in full; 5 2. Respondent’s Motion to
Dismiss (ECF No. 56) is GRANTED; 6 3. Petitioner’s Motions to Stay (ECF Nos. 62, 68) are
GRANTED to the extent that 7 Petitioner is granted a stay of these proceedings pursuant to *Kelly
v. Small*, 315 F.3d 1063 (9th 8 Cir. 2003) and DENIED under the procedure of *Rhines v. Weber*,
544 U.S. 269 (2005), for lack of 9 good cause shown; 10 4.

The Clerk of Court is directed to administratively stay this case until further order of 11 the Court;
12 5. Petitioner is directed to file a status report with the Court every 90 days indicating 13
whether he has filed a habeas corpus petition in the California Supreme Court in order to exhaust
14 his state court remedies; 15 6. Petitioner is further directed to file a motion to lift the stay
within 30 days once the 16 California Supreme Court issues a decision concerning his habeas
corpus petition; and 17 7.

Once the stay of this case is lifted, Petitioner will be granted leave to file an amended 18 28 U.S.C.
§ 2254 application containing all exhausted claims. 19 IT IS SO ORDERED. 20 Date: September
25, 2025 21 22 23 24 25 26 27 28