

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TEXAS**

Darryl Glenn Davis v. Director, TDCJ-CID

Davis · No. 6:24-cv-00159 · Decided January 27, 2026

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TEXAS No. 6:24-cv-00159 Darryl] Glenn Davis, Petitioner, V. Director, TDCJ-CID, Respondent. ORDER Petitioner, an inmate of the Texas Department of Criminal Justice proceeding pro se, brought this action to challenge his state conviction for aggravated assault. Doc. 1.

The case was re-ferred to a magistrate judge, who issued a report recommending that the petition be denied on the merits. Doc. 18 at 22. Petitioner filed written objections. Doc. 21. The court reviews the objected-to portions of a magistrate judge’s report and recommendation de novo. 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(3).

However, the “objections must specifically identify those findings objected to. Frivolous, conclusive or general objections need not be considered by the district court.” *Vettles* ». *Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. Unit B 1982) (en banc), overruled on other grounds by *Douglass vy. United Servs. Auto. Ass’n*, 79 F.3d 1415 (5th Cir. 1996) (en banc).

Furthermore, a party’s entitlement to de novo review does not en- title it to raise arguments that were not presented to the magis- trate judge without a compelling reason. See *Cupit v. Whitley*, 28 F.3d 532, 535 & n.5 (5th Cir. 1994). When there have been no timely objections to a report, or the objections are improper, “the court need only satisfy itself that there is no clear error on the face of the record.” Fed.

R. Civ. P. 72(b), advisory committee’s notes to 1983 amendment. For the most part, petitioner’s objections merely reiterate the same conclusory assertions from his petition regarding ineffective - l- assistance of counsel, improperly admitted evidence, excessive punishment, and prosecutorial misconduct.

The magistrate judge thoroughly addressed these arguments and the court finds no er- ror in that analysis. Petitioner’s objections also raise new argu- ments and facts not present in the original petition or in the reply to the government’s response. Docs. 1, 17.

However, as explained above, the court need not consider these arguments as they were not raised before the magistrate judge. Even if the court were to consider such arguments, petitioner has not established any error warranting relief.

Having reviewed the magistrate judge's report de novo and being satisfied that it contains no error, the court overrules petitioner's objections and accepts the report's findings and recommendations. Petitioner's habeas petition is denied and this action is dismissed with prejudice.

The court also sua sponte denies a certificate of appealability. Any pending motions are denied as moot. So ordered by the court on January 27, 2026. onbok., ☐ MPBELL BARKER United States District Judge -2-