

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Haurilio Silva Valencia v. Joseph Tuggle

Valencia v. Tuggle · No. No. 2:24-cv-2994-TLN-CSK · Decided August 28, 2025

OPINION

(HC) Valencia v. Tuggle

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10

11 HAURILIO SILVA VALENCIA, No. 2:24-cv-2994-TLN-CSK

12 Petitioner, 13 v. ORDER

14 JOSEPH TUGGLE,

15 Respondent. 16

17 Petitioner, a state prisoner proceeding pro se, filed an application for a writ of habeas 18 corpus
pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate 19 Judge
pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 20 On July 2, 2025, the magistrate
judge filed findings and recommendations herein which 21 were served on all parties and which
contained notice to all parties that any objections to the 22 findings and recommendations were to
be filed within fourteen days. (ECF No. 18.) Neither 23 party filed objections to the findings and
recommendations. 24 The court presumes that any findings of fact are correct. See *Orand v.*
United States, 602 25 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are
reviewed de novo. 26 *Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007). The Court has
reviewed the file and finds 27 the findings and recommendations to be supported by the record
and by the magistrate judge's 28 analysis. 1 Accordingly, IT IS HEREBY ORDERED that: 2 1.
The findings and recommendations (ECF No. 18) are ADOPTED IN FULL; 3 2. Respondent's
motion to dismiss (ECF No. 10) is GRANTED; 4 3. This action is DISMISSED with prejudice;
and 5 4. The court declines to issue the certificate of appealability referenced in 28 U.S.C. 6 §
2253. 7 Date: August 27, 2025 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28