

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

Kennedy Ndolo Timina v. Minga Wofford, et al.

No. 1:25-cv-00804 JLT SAB (HC) · No. No. 1:25-cv-00804 JLT SAB (HC) · Decided December 4, 2025

OPINION

Wofford

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10

11 KENNEDY NDOLO TIMINA, No. 1:25-cv-00804 JLT SAB (HC)

12 Petitioner, ORDER ADOPTING FINDINGS AND

RECOMMENDATIONS, GRANTING THE

13 v. PETITION FOR WRIT OF HABEAS

CORPUS, DIRECTING RESPONDENTS TO

14 MINGA WOFFORD, et al., RELEASE PETITIONER ON APPROPRIATE

CONDITIONS, AND DIRECTING CLERK

15 Respondents. OF COURT TO CLOSE CASE 16 (Docs. 1, 20) 17 Petitioner is an immigration
detainee proceeding with a petition for writ of habeas corpus 18 pursuant to 28 U.S.C. § 2241.

This matter was referred to a United States Magistrate Judge 19 pursuant to 28 U.S.C. § 636(b)(1)
(B) and Local Rule 302. 20 On November 19, 2025, the magistrate judge issued findings and
recommendations 21 recommending that the petition for writ of habeas corpus be granted and
Petitioner be released on 22 appropriate conditions. (Doc. 20.) The Court served the findings and
recommendations on the 23 parties and notified them that any objections were due in 14 days.

(Id.) The Court further warned 24 the parties “that failure to file objections within the specified
time may waive the right to appeal 25 the District Court’s order.” (Id. at 7 (citing *Wilkerson v.*
Wheeler, 772 F.3d 834, 839 (9th Cir. 26 2014)).) To date, no objections have been filed, and the

time for doing so has passed. 27 According to 28 U.S.C. § 636(b)(1)(C), the Court has conducted
a de novo review of the 28 case. Having carefully reviewed the entire file, the Court concludes the
findings and 1 || recommendations are supported by the record and proper analysis.’ 2

Accordingly, the Court ORDERS: 3 1. The findings and recommendations issued on November
19, 2025 (Doc. 20) are 4 ADOPTED IN FULL. 5 2. The petition for writ of habeas corpus is

GRANTED. 6 3. Respondents are directed to IMMEDIATELY RELEASE Petitioner subject to an
7 order of supervision in accordance with 8 U.S.C. § 1231(a)(3) and 8 C.F.R. § 241.5. 8 4. The

Clerk of Court is directed to CLOSE THE CASE. 9 10 IT IS SO ORDERED. 11 | Dated:
_December 4, 2025 Cerin | Tower

TED STATES DISTRICT JUDGE

12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 ! In the event a notice of appeal is filed, a
certificate of appealability is not required because this is an order 27 | dismissing a petition for
writ of habeas corpus pursuant to 28 U.S.C. § 2241, and not a final order in a habeas proceeding
in which the detention complained of arises out of process issued by a state court. Forde v. U.S.
Parole 28 Commission, 114 F.3d 878 (th Cir. 1997); see also Ojo v. INS, 106 F.3d 680, 681-682
(Sth Cir. 1997).