

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Robert Earl Mayo v. Brad Cain, Superintendent

Mayo · No. 2:23-cv-00003-YY · Decided March 16, 2026

SUMMARY

The United States District Court for the District of Oregon adopts the magistrate judge's Findings and Recommendation in full because no objections were filed. The court denies Robert Earl Mayo's petition for a writ of habeas corpus, dismisses the case with prejudice, and denies a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the District of Oregon
WRITING FOR THE COURT	Karin J. Immergut
JURISDICTION	United States District Court for the District of Oregon
DECIDED	March 16, 2026
DOCKET	2:23-cv-00003-YY
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Findings and Recommendation recommending denial of a state prisoner's petition for a writ of habeas corpus, dismissal of the case, and denial of a certificate of appealability. No objections were filed.
STANDARD OF REVIEW	Under 28 U.S.C. § 636(b)(1)(C), objections to a magistrate judge's findings and recommendation require de novo review of the objected-to portions. Absent objections, the district court is not required to conduct de novo review, although the statute does not preclude further sua sponte review.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status is not stated in the opinion.
PARTIES	Robert Earl Mayo v. Brad Cain, Superintendent

TOPICS

- federal habeas corpus
- post-conviction relief
- civil procedure

PRACTICE AREAS

federal habeas corpus

post-conviction relief

civil procedure

QUESTIONS PRESENTED

1. What level of review was required for the magistrate judge's Findings and Recommendation when no party filed objections?
2. Whether the district court should adopt the Findings and Recommendation and deny the habeas petition.
3. Whether a certificate of appealability should be denied.

HOLDINGS

1. When no party timely objects to a magistrate judge's Findings and Recommendation, the district court is not required to review the unobjected-to factual or legal conclusions de novo, although it may conduct further review sua sponte.
2. The court adopted the magistrate judge's Findings and Recommendation in full, denied the petition for a writ of habeas corpus, and dismissed the case with prejudice.
3. The court denied a certificate of appealability.

KEY QUOTATIONS

“No party having timely filed objections, this Court has reviewed Judge You’s F&R. Judge You’s F&R, ECF 42, is ADOPTED in full.”

“This Court DENIES the Petition for Writ of Habeas Corpus, ECF 1 and DISMISSES this case with prejudice. A certificate of appealability is also DENIED.”

FACTUAL BACKGROUND

The order concerns Robert Earl Mayo's petition for a writ of habeas corpus. The district court's order does not recite the underlying conviction, sentence, or substantive habeas claims; it addresses review and adoption of the magistrate judge's Findings and Recommendation. No party filed objections to the Findings and Recommendation.

PROCEDURAL HISTORY

Magistrate Judge You issued Findings and Recommendation on January 22, 2026. The Findings and Recommendation recommended denying the habeas petition, entering a judgment of dismissal, and denying a certificate of appealability. Because no party filed timely objections, District Judge Immergut reviewed and adopted the Findings and Recommendation in full, denied the petition, dismissed the case with prejudice, and denied a certificate of appealability.

DISPOSITION

dismissed

CASES CITED

- Thomas v. Arn, 474 U.S. 140, 149-50 (1985)
- United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc)

OPINION

Mayo

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

ROBERT EARL MAYO, Case No. 2:23-cv-00003-YY Petitioner, ORDER ADOPTING F&R IN FULL v. BRAD CAIN, Superintendent, Respondent. IMMERGUT, District Judge. On January 22, 2026, Magistrate Judge You issued her Findings and Recommendation (“F&R”), ECF 42. The F&R recommends that this Court deny the Petition for Writ of Habeas Corpus, ECF 1, enter a judgment of dismissal, and deny a certificate of appealability. No objections were filed. Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge’s F&R, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R that are not objected to. See *Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, sua sponte” whether de novo or under another standard. *Thomas*, 474 U.S. at 154. No party having timely filed objections, this Court has reviewed Judge You’s F&R. Judge You’s F&R, ECF 42, is ADOPTED in full. This Court DENIES the Petition for Writ of Habeas Corpus, ECF 1 and DISMISSES this case with prejudice. A certificate of appealability is also DENIED. IT IS SO ORDERED. DATED this 16th day of March 2026. /s/ Karin J. Immergut Karin J. Immergut United States District Judge