

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.

OPINION

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

