

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

Nathan Christopher Braun v. MCF-Rush City Warden; MNDOC Commissioner; MNDOC HUR; and MNDOC ISR

Braun · No. No. 26-CV-00520 (JMB/DLM) · Decided March 9, 2026

SUMMARY

The United States District Court for the District of Minnesota adopted a magistrate judge’s Report and Recommendation and denied Nathan Christopher Braun’s petition for a writ of habeas corpus. The court concluded that the petition raised issues that were either not cognizable or had not been administratively exhausted. The court denied the pending in forma pauperis application as moot, declined to issue a certificate of appealability, and dismissed the action without prejudice.

CASE DETAILS

COURT	United States District Court for the District of Minnesota
WRITING FOR THE COURT	Jeffrey M. Bryan
JURISDICTION	United States District Court for the District of Minnesota
DECIDED	March 9, 2026
DOCKET	No. 26-CV-00520 (JMB/DLM)
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending denial and dismissal without prejudice of a state prisoner's petition for a writ of habeas corpus. No party filed timely objections.
STANDARD OF REVIEW	In the absence of timely objections to the Report and Recommendation, the district court reviewed it for clear error under Federal Rule of Civil Procedure 72(b) and District of Minnesota Local Rule 72.2(b)(1).
PRECEDENTIAL VALUE	unpublished
PARTIES	Nathan Christopher Braun v. MCF-Rush City Warden, MNDOC Commissioner, MNDOC HUR, MNDOC ISR

TOPICS

- federal habeas corpus
- exhaustion of remedies
- post-conviction relief
- civil procedure

PRACTICE AREAS

federal habeas corpus

post-conviction relief

civil procedure

administrative law

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's Report and Recommendation when neither party filed a timely objection.
2. Whether the habeas petition should be denied and the action dismissed without prejudice because the asserted issues were either not cognizable or had not been exhausted through available administrative remedies.
3. Whether a certificate of appealability should issue.
4. Whether the pending application to proceed in forma pauperis should be denied as moot.

HOLDINGS

1. When no timely objection is filed, the district court reviews the Report and Recommendation for clear error; finding no clear error, the court adopted the R&R.
2. The petition was denied and the action was dismissed without prejudice because the grounds identified in the petition were either not cognizable or had not been exhausted through available administrative remedies.
3. No certificate of appealability shall issue.

KEY QUOTATIONS

“The Court dismisses this action without prejudice.” (Order at 2)

FACTUAL BACKGROUND

Nathan Christopher Braun, a Minnesota state prisoner, filed a petition for a writ of habeas corpus against Minnesota Department of Corrections-related respondents. The Report and Recommendation concluded that the petition raised issues that were either not cognizable in habeas or had not been exhausted through administrative remedies. The district court found no clear error in that recommendation.

PROCEDURAL HISTORY

Braun filed a petition for a writ of habeas corpus and an application to proceed in forma pauperis. Magistrate Judge Douglas L. Micko recommended denying the petition because the asserted issues were either not cognizable or had not been exhausted through available administrative remedies, and recommended that no certificate of appealability issue. After the parties failed to object, the district court reviewed the R&R for clear error, adopted it, denied the petition, denied the IFP application as moot, declined to issue a certificate of appealability, and dismissed the action without prejudice.

DISPOSITION

dismissed

CASES CITED

- *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam)

OPINION

UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA Nathan Christopher Braun, Case No. 26-CV-00520 (JMB/DLM) Petitioner, ORDER v. MCF-Rush City Warden; MNDOC Commissioner; MNDOC HUR; and MNDOC ISR, Respondents. Nathan Christopher Braun, Rush City, MN, self-represented. Thomas R. Ragatz, Minnesota Attorney General's Office, St. Paul, MN, for Respondents. This matter is before the Court on the Report and Recommendation (R&R) of United States Magistrate Douglas L. Micko dated January 28, 2026.

(Doc. No. 3.) The R&R recommends that Petitioner Nathan Christopher Braun's petition for a writ of habeas corpus be denied because Braun raised issues in his petition that either are not cognizable or for which he failed to exhaust his administrative remedies. (See *id.* at 3–6.)

The R&R also recommends that, because the grounds for the petition's dismissal exclude the issuance of certificate of appealability, such a certificate shall not be issued. (*Id.* at 6.) Neither party has objected to the R&R, and the time to do so has now passed. See D. Minn. L.R. 72.2(b) (1).

In the absence of timely objections, the Court reviews the R&R for clear error. See Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT: 1.

The R&R (Doc. No. 3) is ADOPTED. 2. The Petition (Doc. No. 1) is DENIED. 3. Petitioner's pending IFP Application (Doc. No. 2) is DENIED AS MOOT. 4. No certificate of appealability shall issue. 5. The Court dismisses this action without prejudice. LET JUDGMENT BE ENTERED ACCORDINGLY. Dated: March 9, 2026 /s/ Jeffrey M. Bryan Judge Jeffrey M. Bryan United States District Court