

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

John Garcia IV v. Warden Taylor

Garcia v. Warden Taylor · No. 1:24-cv-01044-KES-SAB (HC) · Decided June 20, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations in a federal prisoner’s 28 U.S.C. § 2241 habeas proceeding. The court granted the respondent’s motion to dismiss, dismissed the petition, and directed the Clerk of Court to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 20, 2025
DOCKET	1:24-cv-01044-KES-SAB (HC)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Federal prisoner petitioned for a writ of habeas corpus under 28 U.S.C. § 2241. After a magistrate judge recommended granting respondent's motion to dismiss and dismissing the petition, the district court reviewed the findings and recommendations de novo and adopted them.
STANDARD OF REVIEW	De novo review under 28 U.S.C. § 636(b)(1).
PRECEDENTIAL VALUE	Unknown; district court order with no reported citation.
PARTIES	John Garcia IV v. Warden Taylor

TOPICS

- federal habeas corpus
- motions to dismiss
- civil procedure

PRACTICE AREAS

- Federal habeas corpus
- Federal civil procedure

QUESTIONS PRESENTED

1. Whether the magistrate judge's findings and recommendations recommending dismissal of the § 2241 petition should be adopted after de novo review.
2. Whether respondent's motion to dismiss should be granted and the § 2241 petition dismissed.
3. Whether a certificate of appealability is required for an appeal from the dismissal of a § 2241 petition challenging federal custody.

HOLDINGS

1. The findings and recommendations were supported by the record and proper analysis and were adopted in full.
2. Respondent's motion to dismiss was granted, and the petition for a writ of habeas corpus under 28 U.S.C. § 2241 was dismissed.
3. A certificate of appealability is not required because the order concerns a petition under § 2241 challenging federal detention rather than a final habeas order involving detention arising from state-court process.

KEY QUOTATIONS

“Having carefully reviewed the entire file, the Court holds the findings and recommendations to be supported by the record and proper analysis.” (at 1)

FACTUAL BACKGROUND

John Garcia IV, a federal prisoner proceeding pro se, filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241. The magistrate judge recommended dismissal of the petition and granting respondent's motion to dismiss. Garcia did not object to the findings and recommendations within the allotted time.

PROCEDURAL HISTORY

The matter was referred to a magistrate judge under 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. On April 15, 2025, the magistrate judge recommended granting respondent's motion to dismiss and dismissing the petition. No objections were filed, and the district court adopted the findings and recommendations, granted the motion to dismiss, dismissed the petition, and directed the clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Forde v. U.S. Parole Commission, 114 F.3d 878 (9th Cir. 1997)
- Ojo v. INS, 106 F.3d 680, 681-82 (5th Cir. 1997)
- Bradshaw v. Story, 86 F.3d 164, 166 (10th Cir. 1996)

OPINION

(HC) Garcia v. Warden Taylor

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10

11 JOHN GARCIA IV, No. 1:24-cv-01044-KES-SAB (HC)

12 Petitioner, ORDER ADOPTING FINDINGS AND

RECOMMENDATIONS, GRANTING

13 v. RESPONDENT'S MOTION TO DISMISS,

DISMISSING PETITION FOR WRIT OF

14 WARDEN TAYLOR, HABEAS CORPUS, AND DIRECTING

CLERK OF COURT TO CLOSE CASE

15 Respondent. Docs. 12, 14 16 17 18 Petitioner is a federal prisoner proceeding pro se with a
petition for writ of habeas corpus 19 pursuant to 28 U.S.C. § 2241. This matter was referred to a
United States Magistrate Judge 20 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 21
On April 15, 2025, the assigned magistrate judge issued findings and recommendations 22 that
recommended granting respondent's motion to dismiss and dismissing the petition. Doc. 14. 23
The findings and recommendations were served on petitioner and contained notice that any 24
objections thereto were to be filed within thirty days after service. To date, no objections have 25
been filed, and the time for doing so has passed. 26 In accordance with the provisions of 28 U.S.C.
§ 636(b)(1), the Court has conducted a de 27 novo review of the case. Having carefully reviewed
the entire file, the Court holds the findings 28 and recommendations to be supported by the record
and proper analysis. 1 In the event a notice of appeal is filed, a certificate of appealability will not
be required 2 | because this is an order denying a petition for writ of habeas corpus pursuant to 28
U.S.C. § 2241, 3 | nota final order in a habeas proceeding in which the detention complained of
arises out of 4 | process issued by a state court. Forde v. U.S. Parole Commission, 114 F.3d 878
(9th Cir. 1997); 5 | see Ojo v. INS, 106 F.3d 680, 681-82 (Sth Cir. 1997); Bradshaw v. Story, 86
F.3d 164, 166 (10th 6 | Cir. 1996). 7 Accordingly: 8 1. The findings and recommendations issued
on April 15, 2025, Doc. 14, are ADOPTED 9 in full; 10 2. Respondent's motion to dismiss, Doc.
12, is GRANTED; 11 3. The petition for writ of habeas corpus is DISMISSED; and 12 4. The
Clerk of Court is directed to close the case. 13 14

15 | IT IS SO ORDERED. _

16 Dated: _ June 19, 2025 4h

UNITED STATES DISTRICT JUDGE

18 19 20 21 22 23 24 25 26 27 28

