

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Jason Chungchien Yu v. Neil McDowell, as Acting Warden, Ironwood
State Prison

Yu v. McDowell · No. 5:22-cv-01040-FWS-DTB · Decided November 17, 2025

SUMMARY

The United States District Court for the Central District of California accepts the magistrate judge’s Report and Recommendation in a habeas corpus action under 28 U.S.C. § 2254. After conducting de novo review of the petitioner’s objections, the court overrules them and adopts the recommendation to deny the petition. The action is dismissed with prejudice.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Fred W. Slaughter
JURISDICTION	United States District Court for the Central District of California
DECIDED	November 17, 2025
DOCKET	5:22-cv-01040-FWS-DTB
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought federal habeas relief under 28 U.S.C. § 2254. After a magistrate judge recommended denial of the petition and dismissal with prejudice, the district judge conducted de novo review of the properly objected-to portions of the Report and Recommendation, overruled the objections, adopted the Report and Recommendation, denied the petition, and dismissed the action with prejudice.
STANDARD OF REVIEW	De novo review of portions of the magistrate judge's Report and Recommendation to which specific written objections were made; unobjected-to findings and recommendations are not subject to de novo review and challenges to them are deemed waived.
PRECEDENTIAL VALUE	unpublished district court order; precedential status unknown
PARTIES	Jason Chungchien Yu v. Neil McDowell, as Acting Warden, Ironwood State Prison

TOPICS

federal habeas corpus

post-conviction relief

motions to dismiss

civil procedure

due process

PRACTICE AREAS

federal habeas corpus

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constitutional law

QUESTIONS PRESENTED

1. Whether the district court properly reviewed the magistrate judge's Report and Recommendation de novo in response to Yu's objections.
2. Whether Yu's objections warranted habeas relief on his asserted Sixth and Fourteenth Amendment grounds.
3. Whether the petition should be denied and the action dismissed with prejudice.

HOLDINGS

1. A district judge must conduct de novo review of the portions of a magistrate judge's Report and Recommendation to which specific written objections are made, while arguments directed to unobjected-to findings are deemed waived.
2. Yu's objections did not establish entitlement to habeas relief, and the petition was denied.
3. The petition was denied and the habeas action was dismissed with prejudice.

KEY QUOTATIONS

“Accordingly, the court ORDERS that Judgment is entered DENYING the Petition and DISMISSING this action WITH PREJUDICE.” (at 2)

“After conducting a de novo review of the Objections, the court concurs with and accepts the findings and conclusions of the Magistrate Judge in the Report and Recommendation.” (at 1)

FACTUAL BACKGROUND

The opinion concerns Yu's state-custody habeas petition alleging constitutional violations under the Sixth and Fourteenth Amendments. He sought a Kelly stay to exhaust additional state remedies, and the magistrate judge later vacated the stay after numerous status reports. The district court ultimately adopted the magistrate judge's recommendation that the petition be denied and the action dismissed with prejudice.

PROCEDURAL HISTORY

Yu filed a § 2254 habeas petition and obtained a Kelly stay while pursuing available state-court remedies. After the stay was vacated, he filed a second amended petition. Respondent moved to dismiss; the court granted that motion in part and denied it in part. Following the answer, traverse, Report and Recommendation, and Yu's objections, the district court accepted the magistrate judge's recommendations and entered judgment denying habeas relief and dismissing the action with prejudice.

DISPOSITION

dismissed

CASES CITED

- Kelly v. Small, 315 F.3d 1063 (9th Cir. 2003)
- United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003)
- Chith v. Haynes, 2021 WL 4744596, at *1 (W.D. Wash. Oct. 12, 2021)

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