

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
VIRGINIA, NORFOLK DIVISION**

Robert Lee Chew v. Chadwick Dotson

Chew · No. 2:25-cv-163 · Decided April 2, 2026

OPINION

Chew

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Norfolk Division

ROBERT LEE CHEW,

Petitioner, v. Case No. 2:25-cv-163 CHADWICK DOTSON, Director of the Virginia Department
of Corrections, Respondent.

ORDER

Petitioner Robert Lee Chew seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254, to challenge actions taken by state entities. ECF No. 1. The respondent moved to dismiss the petition, and the petitioner did not respond. ECF Nos. 12 (motion), 13 (memorandum). Before the Court is an unopposed report and recommendation, in which the Honorable Robert J. Krask, United States Magistrate Judge, concluded that the motion to dismiss be granted and the petition be denied and dismissed with prejudice. ECF No. 21. Judge Krask advised the parties of their rights to object to his findings and recommendations and explained that failure to timely object would result in a waiver of appeal from a judgment of this Court based on such findings and recommendations. ECF No. 21 at 8–9 (citing 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); *Thomas v. Arn*, 474 U.S. 140 (1985); *Carr v. Hutto*, 737 F.2d 433 (4th Cir. 1984); *United States v. Schronce*, 727 F. 2d 91 (4th Cir. 1984)). The time to file an objection has expired, and neither party objected to the report and recommendation. F In the absence of a specific written objection, this Court may adopt a magistrate judge’s recommendations without conducting a de novo review, unless the recommendations are clearly erroneous or contrary to law. See Fed. R. Civ. P. 72(b)(2); *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982) (citations omitted); *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 316 (4th Cir. 2005). The Court has reviewed Judge Krask’s findings and recommendations and found no clear error. Accordingly, the report and recommendation (ECF No. 21) is ADOPTED. The respondent’s motion to dismiss (ECF No. 12) is GRANTED. The petition for a writ of habeas corpus (ECF No. 1) is DENIED and DISMISSED WITH PREJUDICE. Finding that the basis for dismissal of the petition is not debatable, and alternatively finding that the petitioner has not made a “substantial showing of the denial of a

constitutional right,” a certificate of appealability is DENIED. 28 U.S.C. § 2253(c)(A); *Miller-El v. Cockrell*, 537 U.S. 322, 335–38 (2003); *Slack v. McDaniel*, 529 U.S. 473, 483–85 (2000). The petitioner is ADVISED that because the Court has denied a certificate of appealability, he may seek a certificate from the United States Court of Appeals for the Fourth Circuit. Fed. R. App. P. 22(b). If the petitioner intends to seek a certificate of appealability from the Fourth Circuit, he must do so on or before May 4, 2026. The petitioner may seek such a certificate by filing a written notice of appeal with the Clerk of the United States District Court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510. The Clerk’s Office is DIRECTED to please provide a copy of this Order to the petitioner.

IT IS SO ORDERED. GY

/s/ Jamar K. Walker United States District Judge Norfolk, Virginia April 2, 2026