

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
WEST VIRGINIA

Armstrong v. Holzapfel

Armstrong · No. 5:24-cv-00568 · Decided May 26, 2026

SUMMARY

The United States District Court for the Southern District of West Virginia adopted a magistrate judge’s proposed findings and recommendation and denied Ronald Armstrong’s habeas corpus petition as moot because he had been released from Bureau of Prisons custody. The court dismissed the action after finding that no timely objections had been filed.

CASE DETAILS

COURT	United States District Court for the Southern District of West Virginia
WRITING FOR THE COURT	Frank W. Volk
JURISDICTION	United States District Court for the Southern District of West Virginia
DECIDED	May 26, 2026
DOCKET	5:24-cv-00568
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petition for a writ of habeas corpus reviewed after referral to a magistrate judge, whose proposed findings and recommendation recommended denial as moot because the petitioner had been released from Bureau of Prisons custody. No objections were filed.
STANDARD OF REVIEW	No de novo review is required for portions of a magistrate judge's proposed findings and recommendation to which no specific objection is made. General and conclusory objections also do not require de novo review.
PRECEDENTIAL VALUE	Unknown; federal district court order with no reporter citation.
PARTIES	Ronald Armstrong v. W. Holzapfel

TOPICS

- federal habeas corpus
- post-conviction relief
- waiver
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the court was required to conduct de novo review of the magistrate judge's PF&R when no objections were filed.
2. Whether Armstrong's habeas petition should be denied as moot and the matter dismissed because he had been released from Bureau of Prisons custody.

HOLDINGS

1. The district court was not required to conduct de novo review of the factual or legal conclusions in the PF&R because Armstrong filed no objections.
2. The petition was denied as moot because Armstrong had been released from Bureau of Prisons custody, and the matter was dismissed.
3. Armstrong's failure to update his address did not prevent adjudication of the matter after the PF&R was returned as undeliverable.

KEY QUOTATIONS

“appeal a magistrate judge’s findings that were not objected to below, as § 636(b) doesn’t require de novo review absent objection.” (925 F.3d at 181)

“Accordingly, the Court ADOPTS the PF&R [ECF 9], DENIES AS MOOT Mr. Armstrong’s Petition for a Writ of Habeas Corpus [ECF 1], and DISMISSES the matter.” (Order)

FACTUAL BACKGROUND

Armstrong filed a petition for a writ of habeas corpus while in Bureau of Prisons custody. The magistrate judge recommended denial as moot after Armstrong was released from custody on February 13, 2026. A copy of the PF&R mailed to Armstrong was returned as undeliverable, and no objections were filed by the deadline.

PROCEDURAL HISTORY

Armstrong filed a federal habeas petition on October 11, 2024. The matter was referred to Magistrate Judge Dwane L. Tinsley, who issued a PF&R on April 22, 2026, recommending that the petition be denied as moot because Armstrong had been released from custody. After no objections were filed by the May 11, 2026 deadline, the district court adopted the PF&R, denied the petition as moot, and dismissed the matter.

DISPOSITION

dismissed

CASES CITED

- Thomas v. Arn, 474 U.S. 140 (1985)

- United States v. De Leon-Ramirez, 925 F.3d 177, 181 (4th Cir. 2019)
- Snyder v. Ridenour, 889 F.2d 1363, 1366 (4th Cir. 1989)
- Orpiano v. Johnson, 687 F.2d 44, 47 (4th Cir. 1982)

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