

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Gavaughn Streeter v. Multnomah County

Streeter · No. 3:25-cv-01806-JE · Decided February 23, 2026

SUMMARY

The United States District Court for the District of Oregon adopts a magistrate judge's Findings and Recommendation in full. The court dismisses with prejudice Gavaughn Streeter's petition for a writ of habeas corpus and declines to issue a Certificate of Appealability.

CASE DETAILS

COURT	United States District Court for the District of Oregon
WRITING FOR THE COURT	Karin J. Immergut
JURISDICTION	United States District Court for the District of Oregon
DECIDED	February 23, 2026
DOCKET	3:25-cv-01806-JE
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Findings and Recommendation recommending dismissal of a state prisoner's federal habeas petition and denial of a certificate of appealability. No objections were filed.
STANDARD OF REVIEW	When objections are made to a magistrate judge's findings and recommendations, the district court must conduct de novo review of the specified portions. The court is not required to conduct de novo or other review of factual or legal conclusions to which no objections are made, although the magistrate statute does not preclude sua sponte further review.
PRECEDENTIAL VALUE	Unknown; district court order with no reported citation.
PARTIES	Gavaughn Streeter v. Multnomah County

TOPICS

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

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's Findings and Recommendation when no objections were filed.
2. Whether the Petition for Writ of Habeas Corpus should be dismissed with prejudice.
3. Whether a Certificate of Appealability should issue under 28 U.S.C. § 2253(c)(2).

HOLDINGS

1. The district court adopted the magistrate judge's Findings and Recommendation in full.
2. The Petition for Writ of Habeas Corpus was dismissed with prejudice.
3. A Certificate of Appealability was denied because the petitioner had not made a substantial showing of the denial of a constitutional right.

KEY QUOTATIONS

“This Court DISMISSES with prejudice the Petition for Writ of Habeas Corpus, ECF 1, and DECLINES to issue a Certificate of Appealability because Petitioner has not made “a substantial showing of the denial of a constitutional right.””

FACTUAL BACKGROUND

Gavaughn Streeter filed a Petition for Writ of Habeas Corpus against Multnomah County. The opinion does not describe the underlying conviction or substantive habeas claims. The magistrate judge recommended dismissal, and no party objected to that recommendation.

PROCEDURAL HISTORY

Magistrate Judge Jelderks issued Findings and Recommendation recommending dismissal of the Petition for Writ of Habeas Corpus and declining to issue a Certificate of Appealability. With no objections filed, the district court adopted the Findings and Recommendation in full, dismissed the petition with prejudice, and declined to issue a certificate of appealability.

DISPOSITION

dismissed

CASES CITED

- Thomas v. Arn, 474 U.S. 140, 149–50 (1985)
- United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc)
- Thomas v. Arn, 474 U.S. 140, 154 (1985)

OPINION

Streeter

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

GAVAUGHN STREETER, Case No. 3:25-cv-01806-JE Petitioner, ORDER ADOPTING
FINDINGS AND
RECOMMENDATION

v.

MULTNOMAH COUNTY,

Respondent. IMMERGUT, District Judge. On January 21, 2025, Magistrate Judge Jelderks issued his Findings and Recommendation (“F&R”), ECF 4. The F&R recommends that this Court dismiss the Petition for Writ of Habeas Corpus, ECF 1, and decline to issue a Certificate of Appealability on the basis that Petitioner has not made a substantial showing of the denial of a constitutional right pursuant to 28 U.S.C. § 2253(c)(2). No objections have been filed. Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge’s F&R, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R to which no objections are addressed. See *Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, sua sponte” whether de novo or under another standard. *Thomas*, 474 U.S. at 154. This Court ADOPTS Judge Jelderks’ F&R, ECF 4, in full. This Court DISMISSES with prejudice the Petition for Writ of Habeas Corpus, ECF 1, and DECLINES to issue a Certificate of Appealability because Petitioner has not made “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). IT IS SO ORDERED. DATED this 23rd day of February, 2026. /s/ Karin J. Immergut
Karin J. Immergut United States District Judge