

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Jordan Adam Sutherland v. Corey Fhuere

Sutherland · No. 6:24-cv-01706-JR · Decided March 18, 2026

SUMMARY

The United States District Court for the District of Oregon adopts a magistrate judge’s Findings and Recommendation recommending denial of Jordan Adam Sutherland’s petition for a writ of habeas corpus and motion for discovery. The court denies both requests and declines to issue a certificate of appealability because no substantial showing of the denial of a constitutional right was made.

CASE DETAILS

COURT	United States District Court for the District of Oregon
WRITING FOR THE COURT	Baggio
JURISDICTION	United States District Court for the District of Oregon
DECIDED	March 18, 2026
DOCKET	6:24-cv-01706-JR
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's findings and recommendation recommending denial of a federal habeas petition and a motion for discovery. No timely objections were filed.
STANDARD OF REVIEW	When no timely objections are made to a magistrate judge's findings and recommendation, de novo review of the portions of the record to which no objection was made is not required; the district court reviewed the legal principles de novo and found no error.
PRECEDENTIAL VALUE	Unpublished district court order with limited precedential value.
PARTIES	Jordan Adam Sutherland v. Corey Fhuere

TOPICS

- federal habeas corpus
- post-conviction relief
- discovery dispute
- appellate procedure
- standard of review

PRACTICE AREAS

- Federal habeas corpus
- Post-conviction relief
- Federal civil procedure

QUESTIONS PRESENTED

1. Whether the district court was required to conduct de novo review of the magistrate judge's findings and recommendation when no timely objections were filed.
2. Whether the magistrate judge's findings and recommendation denying the habeas petition and motion for discovery should be adopted.
3. Whether Sutherland had made a substantial showing of the denial of a constitutional right sufficient to warrant a certificate of appealability.

HOLDINGS

1. Because no timely objections were filed, the district court was relieved of its obligation to review the record de novo as to the unobjected-to portions of the findings and recommendation.
2. The court adopted Magistrate Judge Russo's findings and recommendation and denied Sutherland's petition for a writ of habeas corpus and motion for discovery.
3. A certificate of appealability was denied because Sutherland had not made a substantial showing of the denial of a constitutional right.

KEY QUOTATIONS

“Because no objections to the Magistrate Judge’s Findings and Recommendation were timely filed, the Court is relieved of its obligation to review the record de novo.”

“Accordingly, Petitioner’s Petition for Writ of Habeas Corpus [2] and Motion for Discovery [26] are DENIED.”

FACTUAL BACKGROUND

Sutherland filed a petition for a writ of habeas corpus and a motion for discovery in federal district court. Magistrate Judge Russo recommended denying both requests. Sutherland did not timely object to the findings and recommendation.

PROCEDURAL HISTORY

Magistrate Judge Russo issued findings and a recommendation on December 4, 2025, recommending denial of Sutherland's petition for a writ of habeas corpus and motion for discovery. Because no timely objections were filed, the district court concluded that de novo review of the record was not required, adopted the findings and recommendation, denied both motions, and denied a certificate of appealability.

DISPOSITION

other

CASES CITED

- United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc)

- Sutherland v. Fhuere, 332 Or. App. 589 (2024)
- Sutherland v. Fheure, 372 Or. 720 (2024)

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