

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Ruben Adrian Cortes, Jr. v. Stephen Smith

Cortes v. Smith · No. 2:23-cv-09999-CV-SSC · Decided July 14, 2025

SUMMARY

The United States District Court for the Central District of California accepted the magistrate judge's findings, conclusions, and recommendations after conducting de novo review of the petitioner's objections. The court denied the petition, dismissed the action with prejudice, and denied a certificate of appealability.

OPINION

1 2 3 4 5 6 UNITED STATES DISTRICT COURT 7 CENTRAL DISTRICT OF CALIFORNIA 8
9 10 RUBEN ADRIAN CORTES, JR., Case No. 2:23-cv-09999-CV-SSC 11 Petitioner, ORDER
ACCEPTING 12 v. FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS OF 13
STEPHEN SMITH, Acting UNITED STATES 14 Warden, MAGISTRATE JUDGE AND
DENYING CERTIFICATE OF 15 Respondent. APPEALABILITY 16 17 Pursuant to 28 U.S.C. §
636 the Court has reviewed the Petition, 18 all of the records herein, the Report and
Recommendation of United 19 States Magistrate Judge, and Petitioner's objections to the Report
and 20 Recommendation.

The Court has engaged in a de novo review of those 21 portions of the Report and
Recommendation to which Petitioner has 22 objected. The Court accepts the findings and
conclusions of the 23 Magistrate Judge in the Report and Recommendation. 24 IT IS ORDERED
that judgment be entered denying the petition 25 and dismissing this action with prejudice. 26
Further, the Court finds that Petitioner has not made a 27 1 | court erred in its procedural ruling
and, therefore, a certificate of 2 | appealability will not issue in this action.

See 28 U.S.C. § 22538(c)(2); 3 | Fed. R. App. P. 22(b); Miller-El v. Cockrell, 537 U.S. 322, 336
(2003); 4 | Slack v. McDaniel, 529 U.S. 473, 484 (2000). 5 6 | DATED: 7/14/25 yeath la
Valenzuela 7 NORABLE CYNTHIA VALENZUELA UNITED STATES DISTRICT JUDGE 10
11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28