

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TEXAS, TEXARKANA DIVISION**

Tyran Patton v. Warden, FCI-Texarkana

Patton · No. 5:23cv127-JRG-JBB · Decided March 20, 2026

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION TYRAN PATTON § v. § CIVIL ACTION NO. 5:23cv127-JRG-JBB
WARDEN, FCI-TEXARKANA § ORDER ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE Before the Court is Petitioner’s petition for
the writ of habeas corpus under 28 U.S.C. § 2241 challenging the refusal by the Bureau of Prisons
to transfer him to home confinement under the CARES Act.

Docket No. 1. The case was referred to United States Magistrate Judge J. Boone Baxter in
accordance with 28 U.S.C. § 636. On February 19, 2026, the Magistrate Judge issued a Report and
Recommendation, recommending the above petition for the writ of habeas corpus be dismissed as
moot in that the Court lacks the power to grant the requested relief. Docket No. 34.

A copy of the Report and Recommendation was sent to Petitioner at his last known address, return
receipt requested, but no acknowledgement has been received. The Fifth Circuit has explained that
where a letter is properly placed in the United States mail, a presumption exists that the letter
reached its destination in the usual time and was actually received by the person to whom it was
addressed.

Faciane v. Sun Life Assurance Company of Canada, 931 F.3d 412, 420-21 and n.9 (5th Cir. 2019).
As of this date, no objections have been filed to the February 19, 2026 Report and
Recommendation. Because no objections have been received, Petitioner is barred from de novo
review by the District Judge of the Magistrate Judge’s proposed findings, conclusions and
recommendations and, except upon grounds of plain error, from appellate review of the
unobjected-to factual findings and legal conclusions accepted and adopted by the District Court.

See Duarte v. City of Lewisville, Texas, 858 F.3d 348, 352 (Sth Cir. 2017); Arriaga □□□
Laxminarayan, Case No. 4:21-CV-00203- RAS, 2021 WL 3287683, at *1 (E.D. Tex. July 31,
2021). The Court has reviewed the pleadings in this case and the Report and Recommendation of
the Magistrate Judge. Upon such review, the Court has determined the Report of the Magistrate
Judge is correct.

See United States v. Wilson, 864 F.2d 1219, 1221 (Sth Cir. 1989) (where no objections to a
Magistrate Judge’s Report are filed, the standard of review is “clearly erroneous, abuse of

discretion and contrary to law”).

Accordingly, it is ORDERED that the Report and Recommendation of the Magistrate Judge (Docket No. 34) is ADOPTED as the opinion of the District Court. It is further ORDERED the above petition for the writ of habeas corpus is DISMISSED as moot. It is further ORDERED that any and all motions which may be pending in this action are hereby DENIED. So ORDERED and SIGNED this 20th day of March, 2026.

RODNEY GILSTRAP \ UNITED STATES DISTRICT JUDGE