

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Jacoby T. Jackson v. California

Jackson v. California · No. 1:25-cv-0348 JLT SAB (HC) · Decided June 12, 2025

OPINION

(HC) Jackson v. California

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 JACOBY T. JACKSON, Case No. 1:25-cv-0348 JLT SAB (HC) 12 Petitioner, ORDER
ADOPTING FINDINGS AND

RECOMMENDATIONS, DISMISSING THE

13 v. PETITION FOR WRIT OF HABEAS

CORPUS AS DUPLICATIVE, AND

14 CALIFORNIA, DIRECTING THE CLERK OF COURT TO

CLOSE THE CASE

15 Respondent. (Doc. 7) 16 17 Jacoby T. Jackson is a state prisoner proceeding with a petition for
writ of habeas corpus 18 pursuant to 28 U.S.C. § 2254, seeking to challenge his 2023 convictions
for murder, arson, and 19 vehicle theft. The magistrate judge performed a preliminary review
pursuant to Rule 4 of the 20 Rules Governing Section 2254 Cases and found the petition is
duplicative of a petition currently 21 pending in Jackson v. Tulare County, Case No. 1:25-cv-
00257-SAB. (Doc. 7 at 2-3.) The 22 magistrate judge declined to construe the current petition as
an amendment to the petition in Case.

23 No. 1:25-cv-00257 because Petitioner did “not attempt to raise new claims” and made “fewer
24 factual allegations than the petition currently pending in the previously filed case.” (Id. at 2-3.)

25 Thus, the magistrate judge recommended this petition be dismissed as duplicative. (Id. at 3.) 26

The Court served the Findings and Recommendations on Petitioner and notified him that 27 any
objections were due within 30 days. (Doc. 7 at 3.) The Court advised him that the “failure to 28
file any objections within the specified time may waive the right to appeal the District Court’s 1
order.” (d., citing Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014).) Petitioner did 2 |

not file objections, and the time to do so has passed. 3 According to 28 U.S.C. § 636(b)(1), this
Court performed a de novo review of this case. 4 | Having carefully reviewed the matter, the Court
concludes the Findings and Recommendations 5 || are supported by the record and proper analysis.

Thus, the Court ORDERS: 6 1. The Findings and Recommendations issued on April 25, 2025

(Doc. 7) are 7 ADOPTED in full. 8 2. The petition for writ of habeas corpus is DISMISSED as
duplicative. 9 3. The Clerk of Court is directed to close this case. 10 IT IS SO ORDERED. 12
Dated: _ June 12, 2025 Cerin | Tower
TED STATES DISTRICT JUDGE
13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28