

**UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
WEST VIRGINIA**

Paul Casto v. Warden, FCI Beckley

Casto · No. 5:24-cv-446 · Decided December 15, 2025

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF WEST VIRGINIA AT BECKLEY PAUL CASTO, Petitioner, v. CIVIL ACTION NO. 5:24-cv-446 WARDEN, FCI BECKLEY, Respondent. ORDER Pending is Paul Casto's ("Petitioner") Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241 [ECF 2], filed August 23, 2024. This action was previously referred to the Honorable Dwane L. Tinsley, United States Magistrate Judge, for submission of proposed findings and a recommendation ("PF&R").

Magistrate Judge Tinsley filed his PF&R on October 14, 2025. Magistrate Judge Tinsley recommended that the Court find Petitioner's § 2241 petition is moot due to his receipt of the relief sought in his Petition -- that is, all eligible early release time and his transfer to prerelease custody. [See ECF 13].

The Court need not review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. See *Thomas v. Arn*, 474 U.S. 140 (1985); see also 28 U.S.C. § 636(b)(1) ("A judge of 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." (emphasis added)).

Failure to file timely objections constitutes a waiver of de novo review and the Petitioner's right to appeal the Court's order. See 28 U.S.C. § 636(b)(1); see also *United States v. De Leon-Ramirez*, 925 F.3d 177, 181 (4th Cir. 2019) (Parties may not typically "appeal a magistrate judge's findings that were not objected to below, as § 636(b) doesn't require de novo review absent objection."); *Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir.

1989). Further, the Court need not conduct de novo review when a party "makes general and conclusory objections that do not direct the Court to a specific error in the magistrate's proposed findings and recommendations." *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982). Objections in this case were due on October 31, 2025. No objections were filed.

Accordingly, the Court ADOPTS the PF&R [ECF 13], DENIES AS MOOT the Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241 [ECF 2], and DISMISSES the matter. The Court directs the Clerk to transmit a copy of this Order to counsel of record and any unrepresented party. ENTER: December 15, 2025 Zi ined Frank W. Volk "Teme" == Chief United States District Judge

