

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Woosley v. Borla

No. 2:25-cv-0946-DJC-CSK P · No. No. 2:25-cv-0946-DJC-CSK P · Decided July 9, 2025

OPINION

(HC) Woosley v. Borla

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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11 AARON MICHAEL WOOSLEY, No. 2:25-cv-0946-DJC-CSK P

12 Petitioner, 13 v. ORDER

14 EDWARD BORLA,

15 Respondent. 16

17 Petitioner, a state prisoner proceeding pro se, filed an application for a writ of 18 habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United 19 States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 20 On May 7, 2025, the Magistrate Judge filed Findings and Recommendations 21 herein which were served on Petitioner and which contained notice to Petitioner that 22 any objections to the Findings and Recommendations were to be filed within fourteen 23 days. (ECF No. 14.) Petitioner filed a “Motion for Reconsideration” of the Magistrate 24 Judge’s unadopted Findings and Recommendations. (ECF No. 15) However, as the 25 Court has not yet adopted the Magistrate Judge’s recommendations, reconsideration 26 is inappropriate. Instead, the Court will consider Petitioner’s filing as objections to the 27 Magistrate Judge’s Findings and Recommendations. 28 The court presumes that any findings of fact are correct. See *Orand v. United 1 | States*, 602 F.2d 207, 208 (9th Cir. 1979). The Magistrate Judge’s conclusions of law 2 | are reviewed de novo. See *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 3 | (9th Cir. 1983). Having reviewed the file, the Court finds the findings and 4 | recommendations to be supported by the record and by the Magistrate Judge’s 5 || analysis. 6 In Petitioner's objections, he notes that his direct appeal concluded on May 23, 7 || 2024, when the California appeals court affirmed his conviction. (ECF No. 15 at 3.) 8 | The subsequent termination of state court proceedings does not alter the Court's 9 | application of the Younger abstention doctrine. Whether the Court must abstain 10 | under Younger is determined by whether state Court proceedings were ongoing at 11 || the time the federal action is filed. See *Beltran v. State of California*, 871 F.2d 777, 782 12 | (9th Cir. 1988). Where, as here, state court proceedings

were ongoing at the time of 13 | filing, the district court is required by Younger abstention to dismiss the action, even if 14 | the state court proceedings are later completed. See id. 15 Accordingly, IT IS HEREBY ORDERED that: 16 1. The Findings and Recommendations issued May 7, 2025 (ECF No. 14) are 17 | adopted in full; 18 2. This action is dismissed; 19 3. The Clerk of the Court is directed to close this case; and 20 3. The Court declines to issue the certificate of appealability referenced in 28 21 | U.S.C. § 2253 as Petitioner has not made a substantial showing of the denial of a 22 | constitutional right, see 28 U.S.C. § 2253(c)(2). 23 IT IS SO ORDERED. 25 | Dated: _ July 8, 2025 “Daniel CoD batt Hon. Daniel Lt Cod

26 UNITED STATES DISTRICT JUDGE

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