

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
WEST VIRGINIA

Marcos Santiago-Roldan v. Warden Rokosky

Santiago-Roldan · No. 1:23-00539 · Decided March 20, 2026

SUMMARY

The United States District Court for the Southern District of West Virginia adopted a magistrate judge’s findings and recommendation concerning Marcos Santiago-Roldan’s petition under 28 U.S.C. § 2241. The court denied the petition as moot, dismissed the civil action, removed it from the active docket, and denied a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the Southern District of West Virginia
WRITING FOR THE COURT	David A. Faber
JURISDICTION	United States District Court for the Southern District of West Virginia
DECIDED	March 20, 2026
DOCKET	1:23-00539
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's proposed findings and recommendation in a 28 U.S.C. § 2241 habeas proceeding after the parties filed no objections.
STANDARD OF REVIEW	Absent timely objections to a magistrate judge's proposed findings and recommendation, a party waives de novo review. The court also applied the certificate-of-appealability standard under 28 U.S.C. § 2253(c).
PRECEDENTIAL VALUE	Unpublished district court memorandum opinion and order; precedential status is not indicated in the source.
PARTIES	Marcos Santiago-Roldan v. Warden Rokosky

TOPICS

- federal habeas corpus
- post-conviction relief
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's findings and recommendation when no party filed timely objections.
2. Whether the petition under 28 U.S.C. § 2241 should be denied as moot and the civil action dismissed.
3. Whether to issue a certificate of appealability.

HOLDINGS

1. A party that fails to file timely objections waives the right to de novo review of the magistrate judge's findings and recommendation.
2. The petition under 28 U.S.C. § 2241 was denied as moot, and the civil action was dismissed.
3. A certificate of appealability was denied because the governing standard was not satisfied.

KEY QUOTATIONS

“A certificate will not be granted unless there is “a substantial showing of the denial of a constitutional right.””

FACTUAL BACKGROUND

The opinion provides no substantive factual account of the underlying habeas claim. The magistrate judge recommended that the petition be denied as moot, and the parties did not object to that recommendation within the prescribed period.

PROCEDURAL HISTORY

The action was referred to Magistrate Judge Dwane L. Tinsley under 28 U.S.C. § 636(b)(1)(B). On May 22, 2025, the magistrate judge recommended denying the § 2241 petition as moot, dismissing the action, and removing it from the docket. No party filed objections within the applicable seventeen-day period, so the district court adopted the findings and recommendation, dismissed the action, and denied a certificate of appealability.

DISPOSITION

dismissed

CASES CITED

- Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989)
- Miller-El v. Cockrell, 537 U.S. 322, 336-38 (2003)
- Slack v. McDaniel, 529 U.S. 473, 484 (2000)
- Rose v. Lee, 252 F.3d 676, 683-84 (4th Cir. 2001)

