

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

Michael Jamal Tucker v. FCI Beckley Warden

Tucker · No. 5:24-cv-692 · Decided November 24, 2025

OPINION

Tucker

PER CURIAM.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF WEST VIRGINIA

AT BECKLEY

MICHAEL JAMAL TUCKER,

Petitioner, v. CIVIL ACTION NO. 5:24-cv-692

FCI BECKLEY WARDEN,

Respondent.

ORDER

Pending is Petitioner Michael Jamal Tucker’s Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241 [ECF 1], filed December 2, 2024. This action was previously referred to the Honorable Omar J. Aboulhosn, United States Magistrate Judge, for submission of proposed findings and a recommendation (“PF&R”). Magistrate Judge Aboulhosn filed his PF&R on September 11, 2025. [See ECF 12]. Magistrate Judge Aboulhosn recommended that the Court dismiss Mr. Tucker’s Petition for a Writ of Habeas Corpus as moot because Mr. Tucker was released from custody on July 23, 2025. [ECF 12 at 3]. 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 September 29, 2025. No

objections were filed. Accordingly, the Court ADOPTS the PF&R [ECF 12], DISMISSES AS MOOT the Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241 [ECF 1], and DISMISSES the matter. The Court directs the Clerk to transmit a copy of this Order to any counsel of record and any unrepresented party. ENTER: November 24, 2025 Zi a aries KJ Frank W. Volk “Tame Chief United States District Judge

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