

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

William Lee Pait, Jr. v. Mark Gutierrez

Pait · No. CV-22-00494-TUC-JAS (MSA) · Decided January 12, 2026

SUMMARY

The United States District Court for the District of Arizona adopted a magistrate judge's Report and Recommendation without objection. The court dismissed William Lee Pait, Jr.'s 28 U.S.C. § 2241 petition without prejudice for lack of jurisdiction and directed the Clerk to enter judgment and close the case.

CASE DETAILS

COURT	United States District Court for the District of Arizona
WRITING FOR THE COURT	James A. Soto
JURISDICTION	United States District Court for the District of Arizona
DECIDED	January 12, 2026
DOCKET	CV-22-00494-TUC-JAS (MSA)
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation concerning a petition for a writ of habeas corpus under 28 U.S.C. § 2241. No objections were filed before the deadline expired.
STANDARD OF REVIEW	Clear-error review of the magistrate judge's Report and Recommendation when no objections are filed.
PRECEDENTIAL VALUE	Unpublished, nonprecedential district court order
PARTIES	William Lee Pait, Jr. v. Mark Gutierrez

TOPICS

- federal habeas corpus
- subject matter jurisdiction
- civil procedure

PRACTICE AREAS

- Habeas corpus
- Federal civil procedure

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's Report and Recommendation when no party filed objections.
2. Whether the § 2241 petition should be dismissed without prejudice for lack of jurisdiction.

HOLDINGS

1. When no objections are filed within the applicable period, the district court reviews the magistrate judge's recommendations for clear error and may adopt them if they are not clearly erroneous.
2. The § 2241 petition must be dismissed without prejudice for lack of jurisdiction.

KEY QUOTATIONS

“The § 2241 Petition is dismissed without prejudice for lack of jurisdiction; the Clerk of the Court shall enter judgment and close the file in this case.” (at 1)

FACTUAL BACKGROUND

The opinion provides no substantive factual background concerning the underlying claims. The matter involved a petition for a writ of habeas corpus under 28 U.S.C. § 2241, and the district court determined that it lacked jurisdiction.

PROCEDURAL HISTORY

Magistrate Judge Aguilera issued a Report and Recommendation. The parties filed no objections, and the district court reviewed the record, found the recommendations not clearly erroneous, adopted the Report and Recommendation, dismissed the § 2241 petition without prejudice for lack of jurisdiction, and directed the Clerk to enter judgment and close the case.

DISPOSITION

dismissed

CASES CITED

- Johnson v. Zema Systems Corp., 170 F.3d 734, 739 (7th Cir. 1999)
- Conley v. Crabtree, 14 F. Supp. 2d 1203, 1204 (D. Or. 1998)

OPINION

Pait

PER CURIAM.

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF ARIZONA

3 4|| William Lee Pait, Jr., No. CV-22-00494-TUC-JAS (MSA) 5 Petitioner, ORDER 6 Vv. 7||
Mark Gutierrez, 8 Respondent. 9 10 Pending before the Court is a Report and Recommendation
issued by United States 11 || Magistrate Judge Aguilera. A review of the record reflects that the

parties have not filed ☐☐ any objections to the Report and Recommendation and the time to file objections has 13 || expired. As such, the Court will not consider any objections or new evidence. 14 The Court has reviewed the record and concludes that Magistrate Judge Aguilera's 15 || recommendations are not clearly erroneous. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72; 16 || Johnson v. Zema Systems Corp., 170 F.3d 734, 739 (7th Cir. 1999); Conley v. Crabtree, 14 17||_ F. Supp. 2d 1203, 1204 (D. Or. 1998). 18 Accordingly, IT IS HEREBY ORDERED as follows: 19 (1) Magistrate Judge Aguilera's Report and Recommendation (Doc. 22) is accepted 20 and adopted. 1 (2) The § 2241 Petition is dismissed without prejudice for lack of jurisdiction; the Clerk 22 of the Court shall enter judgment and close the file in this case. 23 Dated this 12th day of January, 2026. 24 26 Honorable James A. Soto 27 United States District Judge 28