

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Roberto Saldana, Jr. v. M. E. Spearman

Saldana Jr. v. Spearman · No. 1:21-cv-01733-KES-HBK (HC) · Decided June 24, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations and denied Roberto Saldana, Jr.’s petition for a writ of habeas corpus under 28 U.S.C. § 2254. The court declined to issue a certificate of appealability and directed the clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 24, 2025
DOCKET	1:21-cv-01733-KES-HBK (HC)
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Petitioner sought federal habeas relief under 28 U.S.C. § 2254. After a magistrate judge recommended denial, the district court conducted de novo review under 28 U.S.C. § 636(b)(1), adopted the findings and recommendations, denied the petition, and declined to issue a certificate of appealability.
STANDARD OF REVIEW	De novo review of the magistrate judge's findings and recommendations under 28 U.S.C. § 636(b)(1). For a certificate of appealability after a merits denial, the petitioner must make a substantial showing of the denial of a constitutional right, meaning that reasonable jurists could debate the district court's resolution or conclude that the issues deserve encouragement to proceed further.
PRECEDENTIAL VALUE	Unreported federal district-court order; precedential status is not established in the opinion.
PARTIES	Roberto Saldana, Jr. v. M. E. Spearman, Warden

TOPICS

- federal habeas corpus
- post-conviction relief
- appellate procedure
- standard of review

PRACTICE AREAS

federal habeas corpus

post-conviction relief

appellate procedure

constitutional law

QUESTIONS PRESENTED

1. Whether the magistrate judge's findings and recommendations recommending denial of the § 2254 petition should be adopted after de novo review.
2. Whether petitioner made the showing required for issuance of a certificate of appealability after denial of the habeas petition on the merits.

HOLDINGS

1. The findings and recommendations were supported by the record and proper analysis and were adopted in full; the § 2254 habeas petition was denied.
2. A certificate of appealability was denied because reasonable jurists would not find the denial of the petition debatable or wrong and petitioner did not make the required substantial showing of the denial of a constitutional right.

KEY QUOTATIONS

“The Court finds that reasonable jurists would not find the Court’s determination that the petition should be denied debatable or wrong, or that the issues presented are deserving of encouragement to proceed further.”
(at 2)

FACTUAL BACKGROUND

The opinion concerns a state prisoner who petitioned for a writ of habeas corpus under 28 U.S.C. § 2254. The district court reviewed the magistrate judge’s recommendation that the petition be denied as without merit. The opinion does not recite the underlying criminal facts or identify the specific constitutional claims in detail.

PROCEDURAL HISTORY

Saldana filed a petition for writ of habeas corpus under 28 U.S.C. § 2254. The matter was referred to a magistrate judge, who issued findings and recommendations on April 23, 2025, recommending that the petition be denied as without merit and that no certificate of appealability issue. Saldana filed no objections, and the district court reviewed the matter de novo, adopted the findings and recommendations in full, denied the petition, declined to issue a certificate of appealability, and directed the clerk to close the case.

DISPOSITION

writ_denied

CASES CITED

- Miller-El v. Cockrell, 537 U.S. 322, 327, 335-36, 338 (2003)
- Slack v. McDaniel, 529 U.S. 473, 484 (2000)

