UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MIGUEL RODRIGUEZ-GARCIA, Petitioner, v. WARDEN, FCI-HERLONG, Respondent.	No. 2:23-cv-00849-TLN-SCR **ORDER**

Petitioner, a federal inmate proceeding pro se, filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2251. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 10, 2025, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 14.) Neither party filed objections to the findings and recommendations.

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). The Court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations (ECF No. 14) are ADOPTED IN FULL.

2. Respondent's motion to dismiss (ECF No. 11) is DENIED.

3. Respondent is directed to file an answer to Petitioner's § 2241 application within 30 days from the date of this Order and to lodge any relevant parts of the record for the Court's review on the merits.

Date: April 17, 2025

TROY L. NUNLEY
CHIEF UNITED STATES DISTRICT JUDGE