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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JONATAN MALDONADO-SALGADO,
Petitioner,
v.
WARDEN,
Respondent.

No. 2:23-cv-02252-DC-JDP (HC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
THIS ACTION

(Doc. Nos. 9, 11)

Petitioner Jonatan Maldonado-Salgado is a federal prisoner proceeding *pro se* and *in forma pauperis* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. 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 October 31, 2024, the assigned magistrate judge issued findings and recommendations recommending that this action be dismissed without prejudice due to Petitioner’s failure to prosecute and failure to comply with court orders. (Doc. No. 11.) In particular, Petitioner failed to comply with the court’s September 18, 2024 order to Petitioner to show cause why this action should not be dismissed due to his failure to prosecute (Doc. No. 10). The pending findings and recommendations were served upon the parties and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 3.)

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the court has conducted a

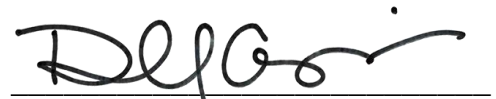
1 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
2 pending findings and recommendations are supported by the record and proper analysis.

3 Accordingly,

- 4 1. The findings and recommendations issued on October 31, 2024 (Doc. No. 11) are
5 adopted in full;
- 6 2. The petition for writ of habeas corpus (Doc. No. 1) is dismissed, without
7 prejudice;¹
- 8 3. Respondent’s motion to dismiss (Doc. No. 9) is denied as having been rendered
9 moot by this order; and
- 10 4. The Clerk of the Court is directed to close this case.

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13 IT IS SO ORDERED.

14 Dated: November 22, 2024



Dena Coggins
United States District Judge

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27 ¹ Because Petitioner is a federal prisoner bringing a § 2241 petition, a certificate of appealability
28 is not required. *See Harrison v. Ollison*, 519 F.3d 952, 958 (9th Cir. 2008) (“The plain language
of [28 U.S.C.] § 2253(c)(1) does not require a petitioner to obtain a COA in order to appeal the
denial of a § 2241 petition.”).