

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JERRY LEE DONOVAN,

Petitioner,

v.

JOSIAS SALAZAR, Warden,¹

Respondent.

Civ. No. 3:18-cv-00198-MK

ORDER

MCSHANE, Judge:

Magistrate Judge Jolie A. Russo filed a Findings and Recommendation (ECF No. 12), and the matter is now before this court. *See* 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72.

Although Plaintiff did not file objections, I reviewed the legal principles *de novo*. *United States v. Bernhardt*, 840 F.2d 1441, 1445 (9th Cir. 1998). I find no error and conclude the report is correct. Magistrate Judge Russo's Findings and Recommendation (ECF No. 12) is adopted. The petition is denied.

IT IS SO ORDERED.

DATED this 4th day of December, 2018.

/s/ Michael J. McShane

Michael McShane
United States District Judge

¹ The proper Respondent is the custodian of the institution having custody of Petitioner. *See Rumsfeld v. Padilla*, 542 U.S. 426, 435 (2004). According to Respondent, Richard Ives was the warden at Federal Correctional Institution Sheridan when Petitioner filed this action, and Josias Salazar has since replaced him. Salazar is therefore substituted as the proper Respondent. *See* Fed. R. Civ. P. 25(d).