

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

TYRONE WILEY,

v.

WARDEN CHANDLER,

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CIVIL ACTION NO. 5:17-CV-00145-RWS

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE’S REPORT AND RECOMMENDATION**

Petitioner Tyrone Wiley, a federal prisoner, proceeding pro se, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.


The Court ordered that this matter be referred to the Honorable Caroline Craven, United States Magistrate Judge, at Texarkana, Texas, for consideration pursuant to applicable laws and orders of this Court. The Magistrate Judge issued her report and recommended denying the petition, which alleged an incorrect calculation of Petitioner’s federal sentence by the Bureau of Prisons. Docket No. 14 (the “Report and Recommendation”). Petitioner acknowledged receipt of the Report and Recommendation on October 19, 2018. Docket No. 17.

The parties had fourteen days after receipt to file objections to the Report and Recommendation. To date, no objections have been filed. Thus, any aggrieved party is not entitled to de novo review by the District Judge of those findings, conclusions and recommendations, and except upon grounds of plain error, they are barred from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. 28 U.S.C § 636(b)(1)(C); *Douglass v. United Services Automobile Association*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc).

There being no grounds of plain error or manifest injustice, the Court hereby adopts the Report and Recommendation of the United States Magistrate Judge as the findings and conclusions of the Court. See *United States v. Raddatz*, 447 U.S. 667, 683 (1980) (“[T]he statute permits the district court to give to the magistrate’s proposed findings of fact and recommendations ‘such weight as [their] merit commands and the sound discretion of the judge warrants,’ ”) (quoting *Mathews v. Weber*, 23 U.S. 261, 275 (1976)).

Accordingly, the report of the magistrate judge is **ADOPTED**. The petition for writ of habeas corpus is **DENIED**.

SIGNED this 27th day of March, 2019.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE