

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

JOHN C CRAIG,

Plaintiff,

v.

DEREK EDGE, WARDEN FCI  
TEXARKANA;

Defendant.

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

CIVIL ACTION NO. 5:18-CV-00041-RWS

**ORDER**

Petitioner John C. Craig, an inmate proceeding *pro se*, brought this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. The Court referred this matter to the Honorable Caroline M. Craven, United States Magistrate Judge, pursuant to 28 U.S.C. § 636. The Magistrate Judge issued a Report and Recommendation, recommending the petition be denied. Docket No. 6.

Petitioner’s last known address was at the FCI Texarkana Facility. The Court sent a copy of the Report and Recommendation to Petitioner at that address. Though the copy has not been returned as undeliverable, the BOP inmate locator search for Mr. Craig indicates that he now resides at USP Leavenworth.

On March 14, 2018, the Court mailed to the Petitioner *Pro Se* Guidelines, informing Petitioner that he was obligated to report any change of address to the Clerk of the Court. Mr. Craig did not so notify the Court of his change of address.

Because no objections to the report have been received, Petitioner is not entitled to *de novo* review by the District Judge of the Magistrate Judge’s findings, conclusions and recommendations,

and except upon grounds of plain error, he is 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 Servs. Auto. Assoc.*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc).

Nonetheless, the Court has reviewed the pleadings in this cause and the report of the Magistrate Judge and agrees with the report of the Magistrate Judge. *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)). It is accordingly

**ORDERED** that the Magistrate Judge’s report (Docket No. 6) is **ADOPTED** as the opinion of the District Court. It is further

**ORDERED** that the petition is **DENIED** and **DISMISSED WITHOUT PREJUDICE**. Finally, it is

**ORDERED** that any and all motions which may be pending in this civil action are hereby **DENIED-AS-MOOT**.

**So ORDERED and SIGNED this 27th day of March, 2020.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE