

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JOSHUA NICHOLAS HIGGINS,
ID # 17463-085,
Petitioner,

§
§
§
§
§
§
§
§

VS.

No. 3:23-CV-2436-D

C. RIVERS, Warden,
Respondent.

ORDER

After reviewing all relevant matters of record in this case, including the findings, conclusions, and recommendation of the United States Magistrate Judge, in accordance with 28 U.S.C. § 636(b)(1), the court is of the opinion that the findings and conclusions of the magistrate judge are correct, and they are adopted as the findings and conclusions of the court. For the reasons stated in the findings, conclusions, and recommendation of the United States Magistrate Judge, the Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241, received on October 30, 2023, is denied with prejudice.

A certificate of appealability (COA) is not required for a federal inmate to appeal the denial of relief under 28 U.S.C. § 2241. *See Padilla v. United States*, 416 F. 424, 425 (5th Cir. 2005). If petitioner files a notice of appeal, he must pay the \$605.00 appellate filing fee or submit a motion to proceed *in forma pauperis* and a properly signed certificate of inmate trust account.

SO ORDERED.

July 3, 2024.


SIDNEY A. FITZWATER
SENIOR JUDGE