

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**  
Norfolk Division

KENYATTA H. ADAMS,

Petitioner,

v.

CHADWICK DOTSON,

Respondent.

Case No. 2:24-cv-188

**ORDER**

Petitioner Kenyatta H. Adams, a person incarcerated in a Virginia prison, filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 on March 25, 2024. ECF No. 1. The petitioner argues that amendments to Virginia's statutory scheme governing earned sentence credits violate the Equal Protection and Due Process Clauses of the Fourteenth Amendment, the Ex Post Facto Clause, and the Eighth Amendment's prohibition against cruel and unusual punishment. ECF No. 1, at 21. Respondent Chadwick Dotson, Director of the Virginia Department of Corrections, moved to dismiss the petition. ECF No. 21.

Before the Court is an unopposed Report and Recommendation, in which the Honorable Robert J. Krask, United States Magistrate Judge, concluded that the respondent's motion to dismiss should be granted and this matter should be dismissed with prejudice. ECF No. 25.

Judge Krask advised the parties of their rights to object to his findings and recommendations and explained that failure to timely object would result in a waiver

of appeal from a judgment of this Court based on such findings and recommendations. *Id.* at 18–19 (citing *Thomas v. Arn*, 474 U.S. 140 (1985); *Carr v. Hutto*, 737 F.2d 433 (4th Cir. 1984); *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984)). The time to file an objection has expired, and neither party objected to the Report and Recommendation.

In the absence of a specific written objection, the Court may adopt a Magistrate Judge’s recommendations without conducting a *de novo* review, unless the recommendations are clearly erroneous or contrary to law. *See* Fed. R. Civ. P. 72(b)(2); *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982) (citations omitted); *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 316 (4th Cir. 2005).

The Court has reviewed Judge Krask’s findings and recommendations and found no clear error. Accordingly, the Report and Recommendation (ECF No. 25) is **ADOPTED**, the respondent’s Motion to Dismiss (ECF No. 21) is **GRANTED**, and the Petition for a Writ of Habeas Corpus (ECF No. 1) is **DISMISSED** and **DENIED WITH PREJUDICE**.

Finding that the basis for dismissal of the § 2254 petition is not debatable, and alternatively finding that the petitioner has not made a “substantial showing of the denial of a constitutional right,” a certificate of appealability is **DENIED**. 28 U.S.C. § 2253(c); *see* Rule 11(a) of the Rules Gov. § 2254 Cases in U.S. Dist. Cts.; *Miller-El v. Cockrell*, 537 U.S. 322, 335–38 (2003); *Slack v. McDaniel*, 529 U.S. 473, 483–85 (2000).

The petitioner is **ADVISED** that because the Court has denied a certificate of appealability, he may seek a certificate from the United States Court of Appeals for the Fourth Circuit. Fed. R. App. P. 22(b); Rule 11(a) of the Rules Gov. § 2254 Cases in U.S. Dist. Cts. **If the petitioner intends to seek a certificate of appealability from the Fourth Circuit, he must do so within 30 days from the date of this Order. The petitioner may seek such a certificate by filing a written notice of appeal with the Clerk of the United States District Court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510.**

The Clerk is **DIRECTED** to send a copy of this Order to the petitioner.

**IT IS SO ORDERED.**

  
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/s/

Jamar K. Walker  
United States District Judge

Norfolk, Virginia  
March 10, 2025