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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

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Keith Fred Bailes,

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No. CV-05-1805-PHX-DGC

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Petitioner,

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ORDER

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vs.

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Dora B. Schriro; and Terry Goddard,

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Respondents.

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Petitioner Keith Bailes filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Dkt. #1. On June 22, 2006, United States Magistrate Judge Jennifer Guerin issued a Report and Recommendation (“R&R”) recommending that the Court deny the petition. Dkt. #13. The R&R advised the parties that they may file written objections within ten days of being served with a copy of the R&R and that “[i]f objections are not timely filed, they may be deemed waived.” *Id.* at 8-9. No objections were filed. The Court accordingly accepted the R&R and a judgment of dismissal was entered. Dkt. ##14-15. The Clerk mailed a copy of the Court’s order and the judgment to Petitioner.

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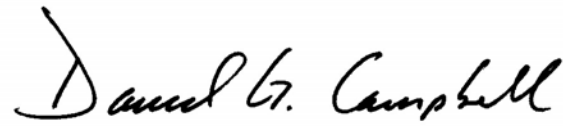
Petitioner has filed a motion for reconsideration. Dkt. #16. Rule 7.2 of the Court’s Local Rules of Civil Procedure provides that “[a]bsent good cause shown, any motion for reconsideration shall be filed no later than ten (10) days after the date of the filing of the Order that is the subject of the motion.” LRCiv 7.2(g)(2). The Court’s order adopting the R&R and dismissing the petition was filed August 2, 2006. *See* Dkt. #14. The deadline for

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1 filing motions for reconsideration was therefore August 12, 2006. Petitioner's motion was
2 filed on July 7, 2008, nearly two years late. The motion does not demonstrate good cause
3 for the untimely filing. The Court accordingly will deny the motion. *See* LRCiv 7.2(g)(2);
4 *see also* Fed. R. Civ. P. 72, Advisory Comm. Notes, 1991 Am. (“[O]bjections to magistrate’s
5 orders that are not timely made shall not be considered.”).

6 **IT IS ORDERED** that Petitioner’s motion for reconsideration (Dkt. #16) is **denied**.

7 DATED this 31st day of October, 2008.

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David G. Campbell
12 United States District Judge
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