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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA

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9 Julian Gago do Medeiros,

10 Petitioner,

11 vs.

12 Eric J. Holder, Jr.; et al.,

13 Respondents.

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) No. CV 06-816-PHX-JAT

) **ORDER**

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Pending before this Court is Petitioner’s Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2241. On August 19, 2009, the Magistrate Judge to whom this case was assigned issued a Report and Recommendation (R&R) recommending that the Petition in this case be denied and dismiss as moot because the Government offered Petitioner the relief to which he was entitled, specifically a bond hearing.

Petitioner moved for and received six extensions of time to file objections to the R&R. On November 27, 2009, Petitioner filed another request for extension of time to file objections. In this request, Petitioner sought until December 17, 2009 to file his objections (Doc. #106). December 17, 2009 has now passed and Petitioner has neither filed objections, nor sought a further extension of time.

In reviewing an R&R, this Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). It is “clear that the district judge must review the magistrate judge’s findings and

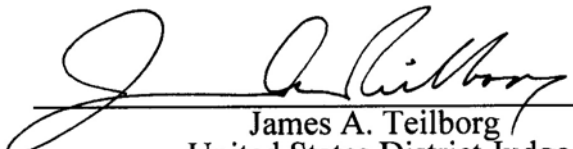
1 recommendations *de novo* if objection is made, but not otherwise.” *United States v. Reyna-*
2 *Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en banc*) (emphasis in original); *Schmidt v.*
3 *Johnstone*, 263 F.Supp.2d 1219, 1226 (D.Ariz. 2003) (“Following *Reyna-Tapia*, this Court
4 concludes that *de novo* review of factual and legal issues is required if objections are made,
5 ‘but not otherwise.’”). District courts are not required to conduct “any review at all . . . of
6 any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985)
7 (emphasis added); *see also* 28 U.S.C. § 636(b)(1) (“the court shall make a *de novo*
8 determination of those portions of the [report and recommendation] to which objection is
9 made.”).

10 In this case, no objections have been filed, and the time sought to file objections has
11 elapsed. Therefore, the Court will accept and adopt the R&R. Accordingly,

12 **IT IS ORDERED** that the motion for extension of time to December 17, 2009 to file
13 objections (Doc. #106) is denied as moot.

14 **IT IS FURTHER ORDERED** that the R&R (Doc. #93) is accepted and adopted; the
15 Petition in this case (Doc. #32) is denied and dismissed as moot and the Clerk of the Court
16 shall enter judgment accordingly.

17 DATED this 7th day of January, 2010.

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21 James A. Teilborg
22 United States District Judge
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