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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE DISTRICT OF ARIZONA
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8 Phillip Totherow,)
9 Plaintiff,)
10 v.)
11 Dora B. Schriro, et al.,)
12 Defendants.)
13 _____)

CV 07-2218-PHX-PGR (MEA)

ORDER

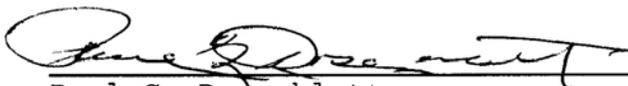
NON-DEATH PENALTY

14 Currently before the Court is the Report and Recommendation of Magistrate Judge
15 Aspey (doc. #60) based on Petitioner’s Petition for Writ of Habeas Corpus filed pursuant to
16 28 U.S.C. § 2254.¹ Having reviewed *de novo* the Petition and the Report and
17 Recommendation of Magistrate Judge Aspey, and no party having filed any objection to the
18 Report and Recommendation,

19 IT IS HEREBY ORDERED that the Magistrate Judge’s Report and Recommendation
20 (doc. #60) is **ACCEPTED** and **ADOPTED** by the Court.

21 IT IS FURTHER ORDERED **DENYING** Plaintiff’s Motion for Leave to File an
22 Amended Complaint (doc. #56).

23 DATED this 12th day of May, 2009.

24
25 
26 Paul G. Rosenblatt
United States District Judge

27 _____
28 ¹ Petitioner challenges his state court conviction of first degree murder. (Doc. 1.)