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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF ARIZONA  
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10 Hans G. Higgins, )  
11 Petitioner, )  
12 v. )  
13 Dora B. Schriro, et al., )  
14 Respondents. )  
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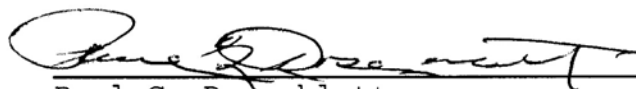
CV 07-2234-PHX-PGR (MEA)

**ORDER**

16 The Court having reviewed *de novo* the Report and Recommendation of Magistrate  
17 Judge Aspey and no party having filed any objection to the Report and Recommendation,  
18 IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation  
19 (**Doc. 23**) is **ACCEPTED** and **ADOPTED** by the Court.

20 IT IS FURTHER ORDERED that petitioner's Petition for Writ of Habeas Corpus  
21 (**Doc. 1**) is **DENIED** and **DISMISSED** without prejudice.

22 DATED this 21<sup>st</sup> day of October, 2008.  
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Paul G. Rosenblatt  
United States District Judge  
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