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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Gerson Alvarado-Veliz, Petitioner, vs. Katrina Kane, Respondents.	No. CV 07-2505-PHX-JAT **ORDER**

Pending before the Court is Petitioner's Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2241. On September 26, 2008, the Magistrate Judge issued a Report and Recommendation (R&R) recommending that the Petition in this case be denied as moot.

Neither party has filed objections to the R&R. Accordingly, the Court hereby accepts the R&R. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985) (finding that district courts are not required to conduct "any review at all . . . *of any issue* that is not the subject of an objection" (emphasis added)); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en banc*) ("statute makes it clear that the district judge must review the magistrate judge's findings and recommendations de novo *if objection is made*, but not otherwise" (emphasis in original)); *see also Schmidt v. Johnstone*, 263 F.Supp.2d 1219, 1226 (D. Ariz. 2003).

Accordingly,

IT IS ORDERED that the Magistrate Judge's Report and Recommendation (Doc. #13) is accepted and adopted;

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IT IS FURTHER ORDERED that the motion to stay (Doc. #12) is denied as moot; and

IT IS FURTHER ORDERED that the Petition in this case is denied as moot, with prejudice, with respect to the detention issues raised in this Petition only, and the Clerk of the Court shall enter judgment accordingly.

DATED this 30th day of October, 2008.

James A. Teilborg
United States District Judge