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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Steven Armando Saenz,
Petitioner,
vs.
Craig Apker,
Respondent.

) No. CV 07-2520-PHX-JAT

ORDER

Pending before this Court is Petitioner’s Petition for Writ of Habeas Corpus and
Petition for Judicial Review. On November 4, 2008, the Magistrate Judge to whom this case
was assigned issued a Report and Recommendation which recommended that both Petitions
be denied as moot. (Doc. #17).

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).

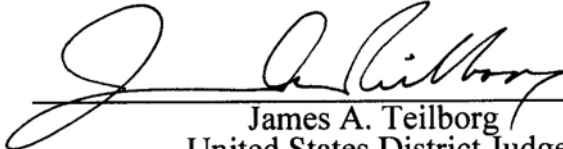
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IT IS ORDERED that the Magistrate Judge’s Report and Recommendation (Doc. #17) is **ACCEPTED**;

IT IS FURTHER ORDERED that Petitioner’s Petition for Writ of Habeas Corpus (Doc. #1) and Petitioner’s Petition for Judicial Review (Doc. #14) are **DENIED as moot**; and the Clerk of the Court shall enter judgment dismissing this case.

DATED this 4th day of December, 2008.



James A. Teilborg
United States District Judge