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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Mario Antonio Galdino,	)	No. CV 08-0128 PHX-NVW (ECV)
Petitioner,	)	<b>ORDER</b>
vs.	)	
Katrina Kane,	)	
Respondent.	)	

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Before the court is Petitioner’s Petition for Writ of Habeas Corpus (doc. #1). On October 27, 2008, United States Magistrate Judge Edward C. Voss issued a Report and Recommendation (“R & R”) (doc. # 12) in accordance with 28 U.S.C. § 636(b)(1)(B). The R & R recommended that the petition be denied and dismissed without prejudice. No objections were filed.

The court has reviewed the R & R and agrees with the magistrate judge's determinations. Accordingly, the court will accept the R & R and dismiss the Petition for Writ of Habeas Corpus. See 28 U.S.C. § 636(b)(1) (stating that the district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge”).

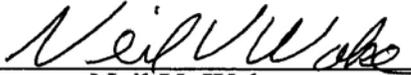
IT IS THEREFORE ORDERED accepting the Report and Recommendation of Magistrate Judge Voss (doc. #12).

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IT IS FURTHER ORDERED that Clerk of the Court enter judgment denying and dismissing Petitioner's Petition for Writ of Habeas Corpus (doc. #1) without prejudice. The Clerk shall terminate this action.

DATED this 1<sup>st</sup> day of December, 2008.

  
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Neil V. Wake  
United States District Judge