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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Vincente Ortiz,	)	No. CV 08-550-PHX-MHM
	)	CR 04-1303-PHX-MHM
Petitioner,	)	
	)	<b>ORDER</b>
vs.	)	
	)	
United States of America,	)	
	)	
Respondent.	)	
	)	

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Petitioner, Vincente Ortiz, filed a Motion for Emergency Release on May 26, 2009. The Magistrate Judge filed his Report and Recommendation on June 23, 2009 recommending that Petitioner's Motion for Emergency Release be denied.

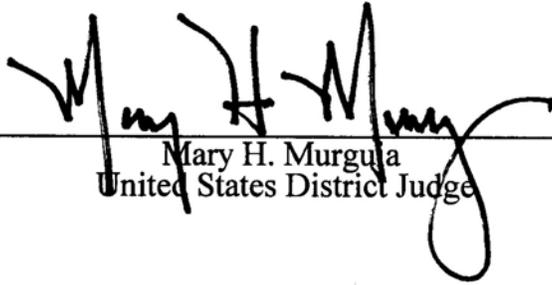
In his Report and Recommendation the Magistrate Judge advised the parties that they had 10 days from the date of service of a copy of the Report and Recommendation within which to file specific written objections with the Court. The time to file such objections has long since expired and no objections to the Report and Recommendation have been filed. Failure to timely file objections to any factual or legal determination of the Magistrate Judge may be considered a waiver of a party's right to *de novo* consideration of the issues. *See United States v. Reyna-Tapia* 328 F.3d 1114, 1121 (9<sup>th</sup> Cir. 2003) (*en banc*).

After a complete and independent review of the issues presented, the Court finds itself in agreement with the Report and Recommendation of the Magistrate Judge.

1 IT IS ORDERED adopting the Report and Recommendation of the Magistrate Judge  
2 as the order of this Court. (Doc. 14).

3 IT IS FURTHER ORDERED that Petitioner's Motion for Emergency Release is  
4 denied. (Doc. 12).

5 DATED this 16<sup>th</sup> day of July, 2009.

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10 Mary H. Murgula  
11 United States District Judge  
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