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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,)	
)	ORDER
vs.)	
)	
United States of America,)	
)	
Respondent.)	
)	

Petitioner, Vincente Ortiz, filed a Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 on March 19, 2008. Respondent filed its response in opposition on August 15, 2008. Petitioner did not file a reply.

The Magistrate Judge filed his Report and Recommendation on June 23, 2009 recommending that Petitioner's Motion to Vacate, Set Aside, or Correct Sentence 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 (9th Cir. 2003) (*en banc*).

