

1 **WO**

2

3

4

5

6

IN THE UNITED STATES DISTRICT COURT

7

FOR THE DISTRICT OF ARIZONA

8

9

Maria Do Nascimento Vincente,

)

No. CV 08-0685-PHX-JAT

10

Petitioner,

)

ORDER

11

vs.

)

12

Michael Chertoff,

)

13

Respondent.

)

14

15

16

Pending before the Court is Petitioner’s Petition for Writ of Habeas Corpus (“Petition”) (Doc. #1). The Magistrate Judge issued a Report and Recommendation (“R&R”) (Doc. #14) recommending that the Petition be denied.

19

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).

26

Therefore,

27

IT IS ORDERED that the Magistrate Judge’s Report and Recommendation (Doc. #14) is **ACCEPTED**;

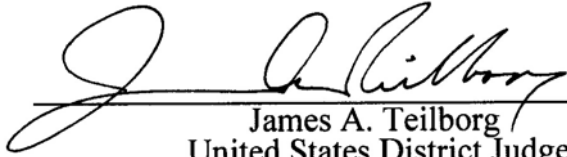
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS FURTHER ORDERED that Petitioner's Petition for Writ of Habeas Corpus (Doc. #1) is **DENIED, without prejudice** (in the event the circumstances surrounding detention change), and

IT IS FURTHER ORDERED that this action is **DISMISSED**.

DATED this 1st day of December, 2008.



James A. Teilborg
United States District Judge