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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

James Mwakitawa,)	No. CV 08-0925 PHX-NVW (GEE)
)	
Petitioner,)	ORDER
)	
vs.)	
)	
Katrina Kane, ICE, Dept. Of Homeland)	
Security, et al.,)	
)	
Respondents.)	

Before the court is Petitioner’s Petition for Writ of Habeas Corpus (doc. #1). On October 31, 2008, United States Magistrate Judge Glenda E. Edmonds issued a Report and Recommendation (“R & R”) in accordance with 28 U.S.C. § 636(b)(1)(B) (doc. # 19). The R & R recommended that the petition be dismissed as moot. 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 Edmonds (doc. #19).

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IT IS FURTHER ORDERED that Clerk of the Court enter judgment dismissing
Petitioner's Petition for Writ of Habeas Corpus (doc. #1) as moot. The Clerk shall terminate
this action.

DATED this 1st day of December, 2008.



Neil V. Wake
United States District Judge