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**NOT FOR PUBLICATION**

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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Joseph A. Mancuso,

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No. CV-08-01366-PHX-FJM

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Petitioner,

)

**ORDER**

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vs.

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Dora B. Schriro, et al.,

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Respondents.

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The court has before it Petitioner's Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (doc. 1), Respondents' answer (doc. 9), and the Report and Recommendation of the United States Magistrate Judge (doc. 11). No objection to the Report and Recommendation was filed.

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After review, we accept the recommended decision of the United States Magistrate Judge pursuant to Rule 8(b), Rules Governing § 2254 Cases. Therefore, **IT IS ORDERED DENYING** the Petition for Writ of Habeas Corpus (doc. 1).

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DATED this 26<sup>th</sup> day of February, 2009.

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*Frederick J. Martone*

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Frederick J. Martone  
United States District Judge

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