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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Meilinda Irsan,

Petitioner,

vs.

Katrina Kane, et al.,

Respondents.

No. CV 08-1450-PHX-MHM (MHB)

**ORDER**

Petitioner filed her Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 on August 6, 2008. On August 22, 2008 and August 27, 2008, Respondents filed their responses to Petitioner’s Petition for Writ of Habeas Corpus. On September 22, 2008, Petitioner filed a Motion to Dismiss Case. On September 29, 2008, the Magistrate Judge issued her Report and Recommendation recommending that the Petitioner’s Motion to Dismiss be granted and that the petition be dismissed as moot and without prejudice.

In her 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

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1 may be considered a waiver of a party's right to *de novo* consideration of the issues. *See*  
2 *United States v. Reyna-Tapia* 328 F.3d 1114, 1121 (9<sup>th</sup> Cir. 2003) (*en banc*).

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

5 IT IS ORDERED adopting the Report and Recommendation of the Magistrate Judge  
6 as the order of this Court [doc. 29].

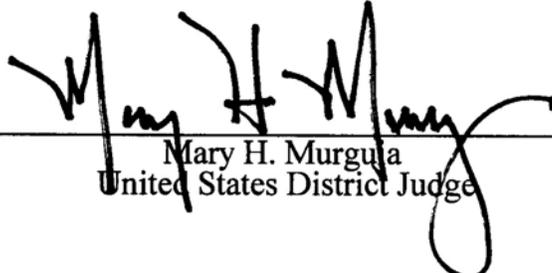
7 IT IS FURTHER ORDERED that the Petitioner's Motion to Dismiss is granted  
8 [doc. 27].

9 IT IS FURTHER ORDERED that the Petition for Writ of Habeas Corpus is dismissed  
10 without prejudice [doc. 1].

11 IT IS FURTHER ORDERED directing the Clerk to enter judgment accordingly.

12 DATED this 15<sup>th</sup> day of October, 2008.

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Mary H. Murgula  
United States District Judge