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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Artem Akopovich Alabilikyan,

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No. CV 08-1708-PHX-JAT

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Plaintiff,

)

ORDER

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vs.

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Katrine Kane,

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Defendant.

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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. #13) recommending that the Petition be denied as moot.

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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).

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Accordingly,

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IT IS ORDERED that the Magistrate Judge’s Report and Recommendation (Doc. #13) is **ACCEPTED**;

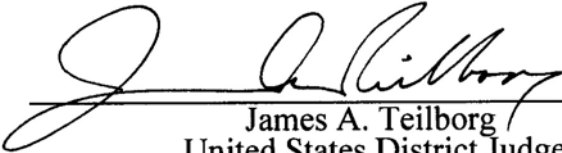
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IT IS FURTHER ORDERED that Petitioner's Petition for Writ of Habeas Corpus (Doc. #1) is **DENIED AS MOOT**; and

IT IS FURTHER ORDERED that this action is **DISMISSED WITHOUT PREJUDICE**.

DATED this 6th day of January, 2009.



James A. Teilborg
United States District Judge