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NOT FOR PUBLICATION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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George Araujo-Malagon,

No. CV-09-0187-PHX-FJM

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Petitioner,

ORDER

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vs.

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Katrina Kane,

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Respondent.

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The court has before it petitioner's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 (doc. 1), respondent's response (doc. 10), and petitioner's reply (doc. 11). We also have before us the report and recommendation of the United States Magistrate Judge recommending that the petition for writ of habeas corpus be denied (doc. 12). No objection to the report and recommendation was filed and the time for doing so has expired.

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We agree with the Magistrate Judge that petitioner's detention is lawful and therefore we accept the recommended decision of the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1).

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IT IS ORDERED DENYING the petition for writ of habeas corpus (doc. 1).

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DATED this 4th day of November, 2009.

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Frederick J. Martone

Frederick J. Martone
United States District Judge

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