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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Gabriel Sheridan Sharp,
Petitioner,
vs.
Charles L. Ryan, et al.,
Respondents.

) No. CV-09-0199-PHX-ROS

) **ORDER**

On July 7, 2009, Magistrate Judge David K. Duncan issued a Report and Recommendation recommending that Petitioner’s Application for Writ of Habeas Corpus be dismissed with prejudice (Doc. 16). Petitioner failed to file timely objections.

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). It is “clear that the district judge must review the magistrate judge’s findings and recommendations *de novo if objection is made*, but not otherwise.” United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en banc*) (emphasis in original); Schmidt v. Johnstone, 263 F. Supp. 2d 1219, 1126 (D. Ariz. 2003) (“Following Reyna-Tapia, this Court concludes that *de novo* review of factual and legal issues is required if objections are made, ‘but not otherwise.’”). District courts are not required to conduct “any review at all . . . of any issue that is not the subject

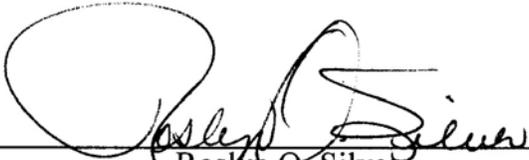
1 of an objection.” Thomas v. Arn, 474 U.S. 140, 149 (1985). No objection having been
2 made, the Court will adopt the Report and Recommendation in full.

3 Accordingly,

4 **IT IS ORDERED** the Report and Recommendation (Doc. 16) **IS ADOPTED IN**
5 **FULL** and the Application for Writ of Habeas Corpus (Doc. 1) **IS DISMISSED WITH**
6 **PREJUDICE**. The Clerk of Court shall close this case.

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DATED this 30th day of July, 2009.



Roslyn O. Silver
United States District Judge