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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Karen Sanchez,

Petitioner,

vs.

Charles L. Ryan, et al.,

Respondents.

) No. CV 09-1049-PHX-MHM

) **ORDER**

\_\_\_\_\_ )  
Petitioner filed her Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 on May 15, 2009. On October 9, 2009, Respondents filed their response to Petitioner’s Petition for Writ of Habeas Corpus. On April 15, 2010, the Magistrate Judge issued his Report and Recommendation recommending that the petition be denied and dismissed with prejudice.

In his 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. 12].

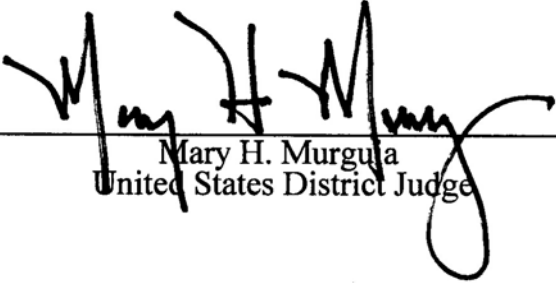
7 IT IS FURTHER ORDERED that the Petition for Writ of Habeas Corpus is denied  
8 and dismissed with prejudice.

9 IT IS FURTHER ORDERED that a Certificate of Appealability and leave to proceed  
10 *in forma pauperis* on appeal is denied because the dismissal of the Petition is justified by a  
11 plain procedural bar and jurists of reason would not find the procedural ruling debatable.

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

13 DATED this 16<sup>th</sup> day of June, 2010.

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Mary H. Murgula  
United States District Judge