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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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Kenneth Gregory McCracken,

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No. CV 09-1598-PHX-JAT

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Plaintiff,

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ORDER

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vs.

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Charles L. Ryan; et al,

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Defendants.

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Pending before the Court is Petitioner’s Petition for Writ of Habeas Corpus (“Petition”) (Doc. #1). The Magistrate Judge to whom this case was assigned issued a Report and Recommendation (“R&R”) (Doc. #11) recommending that the Petition be denied.

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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 THEREFORE ORDERED that the Magistrate Judge’s Report and Recommendation (Doc. #11) is **ACCEPTED**.

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