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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Rickie Ray Bohannan,

Petitioner,

vs.

State of Arizona, et al.,

Respondents.

No. CV-10-00336-PHX-ROS

ORDER

Pending before the Court is Magistrate Judge Michelle H. Burns' Report and Recommendation. (Doc. 13) Magistrate Judge Burns recommends the petition for writ of habeas corpus be denied and dismissed with prejudice. Petitioner did not file any objections. No objections being made, the Court will adopt the Report and Recommendation in full.

Accordingly,

IT IS ORDERED the Report and Recommendation (Doc. 13) is **ADOPTED**. The request for a writ of habeas corpus is **DENIED**. The Clerk shall close this case.

IT IS FURTHER ORDERED a Certificate of Appealability is **DENIED**. Dismissal of the petition is justified by a plain procedural bar and jurists of reason would not find the ruling debatable.

DATED this 9th day of March, 2011.



Roslyn O. Silver
Chief United States District Judge