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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Charles Bertrand,)	No. CV-10-604-PHX-GMS
)	
Petitioner,)	ORDER
)	
v.)	
)	
Eric Himpton Holder, Jr., et al.,)	
)	
Respondents.)	
)	
)	

Pending before the Court are Petitioner’s Petition for Writ of Habeas Corpus and United States Magistrate Judge Jay R. Irwin’s Report and Recommendation (“R&R”). Docs. 1, 23. The R&R recommends that the Court deny the Petition. Doc. 23 at 10. The Magistrate Judge advised the parties that they had fourteen days to file objections to the R&R and that failure to file timely objections could be considered a waiver of the right to obtain review of the R&R. *Id.* at 10-11 (citing Fed. R. Civ. P. 72(b); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)). Petitioner’s counsel requested an extension to file an objection and the Court granted the motion extending the time for an objection to September 13, 2011.

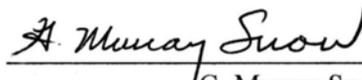
The parties did not file objections, which relieves the Court of its obligation to review the R&R. *See Reyna-Tapia*, 328 F.3d at 1121; *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (“[Section 636(b)(1)] does not . . . require any review at all . . . of any issue that is not the subject of an objection.”); Fed. R. Civ. P. 72(b)(3) (“The district judge must determine de

1 novo any part of the magistrate judge’s disposition that has been properly objected to.”). The
2 Court has nonetheless reviewed the R&R and finds that it is well-taken. The Court will
3 accept the R&R and deny the Petition. *See* 28 U.S.C. § 636(b)(1) (stating that the district
4 court “may accept, reject, or modify, in whole or in part, the findings or recommendations
5 made by the magistrate”); Fed. R. Civ. P. 72(b)(3) (“The district judge may accept, reject,
6 or modify the recommended disposition; receive further evidence; or return the matter to the
7 magistrate judge with instructions.”).

8 **IT IS ORDERED:**

- 9 1. Magistrate Judge Irwin’s R&R (Doc. 23) is **accepted**.
- 10 2. Petitioner’s Petition for Writ of Habeas Corpus (Doc. 1) is **denied**.
- 11 3. The Clerk of Court shall **terminate** this action.
- 12 4. Because this case arises under 28 U.S.C. § 2241, no ruling on a certificate of
13 appealability is required.

14 DATED this 19th day of September, 2011.

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18 G. Murray Snow
19 United States District Judge
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