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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA

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9 United States of America,
10 Plaintiff/Respondent,

No. CR 09-0933-PHX-JAT
CV 10-0682-PHX-JAT (JRI)

11 vs.

ORDER

12 Jesus Arturo Lopez-Jusaino,
13 Defendant/Petitioner/Movant.)
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16 Pending before the Court is Movant's Motion to Vacate, Set Aside or Correct
17 Sentence pursuant to 28 U.S.C. § 2255 (Doc. 1). The Magistrate Judge issued a Report and
18 Recommendation ("R&R") (Doc. 10) recommending that the Motion be denied. The R&R
19 also recommended that the certificate of appealability be denied.

20 Neither party has filed objections to the R&R. Accordingly, the Court hereby accepts
21 the R&R. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985) (finding that district courts are not
22 required to conduct "any review at all . . . of any issue that is not the subject of an objection"
23 (emphasis added)); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en*
24 *banc*) ("statute makes it clear that the district judge must review the magistrate judge's
25 findings and recommendations de novo *if objection is made*, but not otherwise" (emphasis
26 in original)); *see also Schmidt v. Johnstone*, 263 F.Supp.2d 1219, 1226 (D. Ariz. 2003).

27 Accordingly,

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