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NOT FOR PUBLICATION

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Jason John McLaughlin,)	No. CV 10-1142-PHX-SRB
Petitioner,)	ORDER
vs.)	
Charles Ryan, et al.)	
Respondents.)	

Petitioner filed his Amended Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 on June 25, 2010, claiming ineffective assistance of counsel. On September 27, 2010, Respondents filed their Response to Petitioner’s Amended Petition for Writ of Habeas. On December 6, 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 14 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 expired and no objections to the Report and Recommendation have been filed.

The Court has reviewed the record and finds itself in agreement with the Report and Recommendation of the Magistrate Judge. Petitioner’s habeas claims with regard to his initial

1 conviction is untimely. His claim of ineffective assistance of counsel during his probation
2 revocation proceeding is without merit.

3 IT IS ORDERED adopting the Report and Recommendation of the Magistrate Judge
4 as the order of this Court.

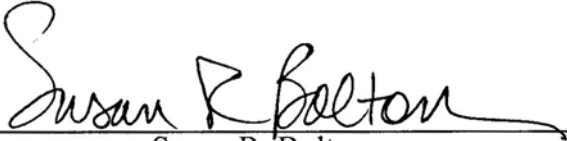
5 IT IS FURTHER ORDERED that the Petition for Writ of Habeas Corpus is denied
6 and dismissed with prejudice.

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

8 IT IS FURTHER ORDERED denying a Certificate of Appealability.

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DATED this 19th day of January, 2011.



Susan R. Bolton
United States District Judge