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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Keith Ray Curren,)	No. CV 10-2712-PHX-FJM
Petitioner,)	ORDER
vs.)	
Charles L. Ryan, et al.,)	
Respondents.)	

The court has before it petitioner's second amended petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 (doc. 8), respondents' answer (doc. 17), and the report and recommendation of the United States Magistrate Judge (doc. 18). No objection to the report and recommendation was filed and the time for doing so has expired. See Fed. R. Civ. P. 72(b)(2).

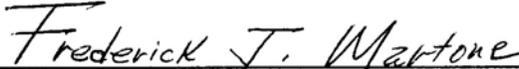
In his only ground for relief, petitioner contends that he was denied the effective assistance of counsel in connection with his plea agreement. Specifically, petitioner alleges that his attorney informed him that he would be sentenced for eight years, rather than the ten he received. The Magistrate Judge did not reach the merits of petitioner's argument because he found the petition was untimely. Petitioner even admits that the petition is untimely. The Magistrate Judge further concluded that petitioner is not entitled to equitable tolling because ignorance of the law, here, being unaware of the meaning of "propria persona," is not an

1 extraordinary circumstance warranting equitable tolling. We agree with the Magistrate
2 Judge's conclusion. Accordingly, we accept the report and recommendation of the
3 Magistrate Judge pursuant to Rule 72(b), Fed. R. Civ. P.

4 **IT IS ORDERED DENYING WITH PREJUDICE** the second amended petition
5 for writ of habeas corpus (doc. 8).

6 DATED this 26th day of July, 2011.

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Frederick J. Martone
United States District Judge