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

Cory Dean Hamilton,  
Petitioner,

v.

Dennis Smith,  
Respondent.

) No. CV11-0073 PHX DGC (DKD)

) **ORDER**

\_\_\_\_\_ )  
Petitioner Cory Dean Hamilton has filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. Doc. 1. United States Magistrate Judge David K. Duncan has issued a report and recommendation (“R&R”) recommending that the petition be denied and dismissed with prejudice. Doc. 11. No objection has been filed, which relieves the Court of its obligation to review the R&R. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3); *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). The Court will accept the R&R and deny the petition.

**IT IS ORDERED:**

1. The R&R (Doc. 11) is **accepted**.
2. The petition for writ of habeas corpus (Doc. 1) is **denied and dismissed with prejudice**.
3. A certificate of appealability and leave to proceed *in forma pauperis* on appeal are **denied**

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4. The Clerk is directed to **terminate** this action.

DATED this 18<sup>th</sup> day of July, 2011.



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David G. Campbell  
United States District Judge