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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

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Michael Kenneth Biggs,

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No. CV-12-00291-PHX-FJM

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Petitioner,

)

**ORDER**

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vs.

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Charles L. Ryan, et al.,

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Respondents.

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The court has before it petitioner’s second amended petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 (doc. 18), respondents’ response (doc. 24), petitioner’s reply (doc. 27), and the report and recommendation of the United States Magistrate Judge recommending that the second amended petition for writ of habeas corpus be denied and dismissed with prejudice (doc. 33). We also have before us what is characterized as a motion for reconsideration by the petitioner (doc. 34). This filing is properly construed as petitioner’s objections to the Magistrate Judge’s report and recommendation.

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Petitioner was convicted in 1994 of two counts of attempted sexual conduct with a minor and sentenced to two consecutive 15-year terms of imprisonment. He filed a habeas petition in 2004, challenging the same conviction and sentence that he challenges in the present petition. See CV-04-2178-PHX-NVW. The court ruled that his petition was untimely and dismissed the petition with prejudice (doc. 17).

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