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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Daljinder Singh,

Petitioner,

v.

Eric H. Holder, Jr.; Janet Napolitano;
Katrina S. Kane,

Respondents.

No. CV-12-01284-PHX-GMS

ORDER

Pending before the Court are Petitioner's Petition for Writ of Habeas Corpus and United States Magistrate Judge Aspey's Report and Recommendation ("R&R"). Docs. 1, 29. The R&R recommends that the Court dismiss the petition as it is now moot. Doc. 29 at 2. The Magistrate Judge advised the parties that they had 14 days to file objections to the R&R and that failure to file timely objections could be considered a waiver of the right to obtain review of the R&R. *Id.* at 2 (citing Fed. R. Civ. P. 72(b); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)).

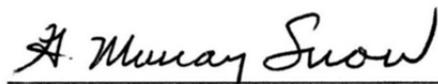
The parties did not file objections, which relieves the Court of its obligation to review the R&R. *See Reyna-Tapia*, 328 F.3d at 1121; *Thomas v. Arn*, 474 U.S. 140, 149 (1985) ("[Section 636(b)(1)] does not . . . require any review at all . . . of any issue that is not the subject of an objection."); Fed. R. Civ. P. 72(b)(3) ("The district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to."). The Court has nonetheless reviewed the R&R and finds that it is well-

1 taken. The Court will accept the R&R and dismiss the petition. *See* 28 U.S.C. § 36(b)(1)
2 (stating that the district court “may accept, reject, or modify, in whole or in part, the
3 findings or recommendations made by the magistrate”); Fed. R. Civ. P. 72(b)(3) (“The
4 district judge may accept, reject, or modify the recommended disposition; receive further
5 evidence; or return the matter to the magistrate judge with instructions.”).

6 **IT IS ORDERED:**

- 7 1. Magistrate Judge Aspey’s R&R (Doc. 29) is **accepted**.
- 8 2. Petitioner’s Petition for Writ of Habeas Corpus (Doc. 1) is **dismissed with**
9 **prejudice**.
- 10 3. The Clerk of Court shall **terminate** this action.
- 11 4. Because this case arises under 28 U.S.C. § 2241, no ruling on a certificate
12 of appealability is required.

13 Dated this 21st day of September, 2012.

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16 G. Murray Snow
17 United States District Judge
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