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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Rene Ballesteros, Jr.,

Petitioner,

vs.

Charles L. Ryan, et al.,

Respondents.

No. CV-12-01958-PHX-ROS


ORDER

On April 9, 2014, Magistrate Judge David K. Duncan issued a Report and Recommendation (“R&R”). The R&R recommends the petition for writ of habeas corpus be denied. (Doc. 15). Neither party filed an objection. Therefore, the R&R will be adopted in full. Accordingly,

IT IS ORDERED the Report and Recommendation (**Doc. 15**) is **ADOPTED** and the petition for writ of habeas corpus is **DENIED**.

IT IS FURTHER ORDERED a Certificate of Appealability is **DENIED** either because dismissal is justified by a plain procedural bar and jurists of reason would not find the ruling debatable or because Petitioner has not made a substantial showing of the denial of a constitutional right.

DATED this 13th day of May, 2014.



Roslyn O. Silver
Senior United States District Judge