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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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Raymond J. Conroy,

No. CV-12-02593-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 petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 (doc. 1), respondents’ response (doc. 18), petitioner’s reply (doc. 28). We also have before us the Report and Recommendation of the United States Magistrate Judge recommending that the petition for writ of habeas corpus be denied and dismissed with prejudice (doc. 34). No objections were filed.

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Therefore, pursuant to Rule 8(b), Rules Governing § 2254 Cases, IT IS ORDERED ACCEPTING the recommended decision of the Magistrate Judge (doc. 34) and DENYING and DISMISSING WITH PREJUDICE the petition for writ of habeas corpus (doc. 1).

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IT IS FURTHER ORDERED that a Certificate of Appealability and leave to proceed *in forma pauperis* on appeal are denied because dismissal of the petition is justified by a plain procedural bar and jurists of reason would not find the ruling debatable, and because petitioner has not made a substantial showing of the denial of a constitutional right.

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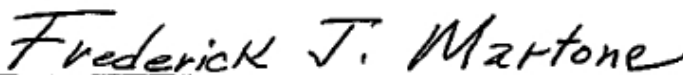
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DATED this 6th day of March, 2014.

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Frederick J. Martone
Senior United States District Judge