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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Eduardo Guzman-Duarte,
Petitioner,
vs.
Charles L. Ryan, et al.,
Respondents.

No. CV-13-00219-PHX-PGR (BSB)

ORDER

Having reviewed *de novo* the Report and Recommendation of Magistrate Judge Bade notwithstanding that no party has filed any objections to the Report and Recommendation, the Court finds that the Magistrate Judge correctly concluded that the petitioner’s habeas petition, timely filed pursuant to 28 U.S.C. § 2254, should be denied because the petitioner waived his claims asserted in Grounds One, Two and Three by pleading guilty, and because his claims in Ground Four are not cognizable on federal habeas review. Therefore,

IT IS ORDERED that the Magistrate Judge’s Report and Recommendation (Doc. 20) is accepted and adopted by the Court.

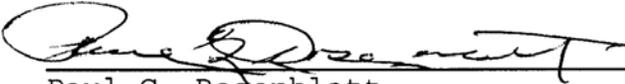
IT IS FURTHER ORDERED that that the petitioner’s Petition Under 28 U.S.C. § 2254 for a Writ of Habeas Corpus by a Person in State Custody, as supplemented,

1 is denied and that this action is dismissed.

2 IT IS FURTHER ORDERED that a Certificate of Appealability and leave to
3 proceed in forma pauperis on appeal is denied because the petitioner has not made
4 a substantial showing of the denial of a constitutional right.

5 IT IS FURTHER ORDERED that the Clerk of the Court shall enter judgment
6 accordingly.

7 DATED this 9th day of March, 2015.

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10 Paul G. Rosenblatt
11 United States District Judge
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