

1 **WO**

2
3
4
5
6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
8

9 James Pierre Williams,

10 Petitioner,

11 v.

12 Unknown Sterns, et al.,

13 Respondents.

No. CV-14-01417-PHX-DLR

ORDER

14
15 Before the Court is the Report and Recommendation (“R&R”) of Magistrate Judge
16 James F. Metcalf, (Doc. 25), regarding Petitioner’s Petition for Writ of Habeas Corpus
17 filed pursuant to 28 U.S.C. § 2254, (Doc. 1). The R&R recommends that the petition be
18 denied and dismissed with prejudice. The Magistrate Judge advised the parties that they
19 had fourteen days to file objections to the R&R. (Doc. 25 at 46-47 (citing Fed. R. Civ. P.
20 72(b)).) Petitioner filed his “Notice of Objection to Report and Recommendation of
21 Petition for Writ of Habeas Corpus” on September 8, 2015. (Doc. 26.)

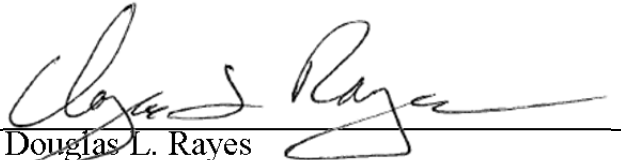
22 The Court has considered the objections and reviewed the R&R de novo. *See* Fed.
23 R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1) (stating that the court must make a de novo
24 determination of those portions of the R&R to which specific objections are made). The
25 Court agrees with the Magistrate Judge’s determinations, accepts the recommended
26 decision within the meaning of Rule 72(b), and overrules Petitioner’s objections. *See* 28
27 U.S.C. § 636(b)(1) (stating that the district court “may accept, reject, or modify, in whole
28 or in part, the findings or recommendations made by the magistrate”).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS THEREFORE ORDERED that the Report and Recommendation of the Magistrate Judge, (Doc. 25), is **ACCEPTED**. Having considered the issuance of a Certificate of Appealability from the order denying Petitioner’s Petition for a Writ of Habeas Corpus, a Certificate of Appealability and leave to proceed in forma pauperis on appeal are **DENIED**.

IT IS FURTHER ORDERED that the Clerk of the Court shall enter judgment denying and dismissing Petitioner’s Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254, (Doc. 1), with prejudice, and shall terminate this action.

Dated this 5th day of November, 2015.



Douglas L. Rayes
United States District Judge