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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Kenneth Ramon Kensey,	}	No. CV-14-02051-PHX-SPL
Petitioner,	}	<b>ORDER</b>
vs.	}	
Charles L. Ryan, et al.,	}	
Respondents.	}	

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Petitioner Kenneth Ramon Kensey has filed an Amended Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (Doc. 6). The Honorable David K. Duncan, United States Magistrate Judge, issued a Report and Recommendation (“R&R”) (Doc. 15), recommending that the Court deny the Petition. Judge Duncan advised the parties that they had fourteen (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. (Doc. 15) (citing 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6, 72; *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 adopt the R&R and deny the Petition. *See* 28 U.S.C. § 636(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.”). Accordingly,

6 **IT IS ORDERED:**


7 1. That Magistrate Judge Duncan’s Report and Recommendation (Doc. 15) is  
8 **accepted** and **adopted** by the Court;

9 2. That the Amended Petition for Writ of Habeas Corpus pursuant to 28  
10 U.S.C. § 2254, as amended (Doc. 6) is **denied** and **dismissed with prejudice**;

11 3. That a certificate of appealability and leave to proceed *in forma pauperis* on  
12 appeal are **denied**; and

13 4. That the Clerk of Court shall **terminate** this action.

14 Dated this 28th day of May, 2015.

15   
16 Honorable Steven P. Logan  
17 United States District Judge  
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