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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Abdifatah Adem,

Petitioner,

v.

Katrina S. Kane,

Respondent.

No. CV-14-02472-PHX-GMS

ORDER

Pending before the Court are Plaintiff's Petition for Writ of Habeas Corpus and United States Magistrate Judge Michelle H. Burns' Report and Recommendation ("R&R"). Docs. 1, 11. The R&R recommends that the Court dismiss the Petition without prejudice as moot. Doc. 11 at 2. The Magistrate Judge advised the parties that they had fourteen 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. *Id.* at 2 (28 U.S.C. § 636(b)(1); Rules 72, 6(a), 6(b), Federal Rules of Civil Procedure; *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)).

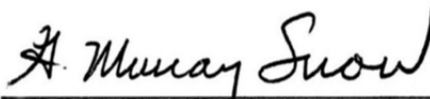
The parties did not file objections, which relieves the Court of its obligation to review the R&R. *See Reyna-Tapia*, 328 F.3d at 1121; *Thomas v. Arn*, 474 U.S. 140, 149 (1985) ("[Section 636(b)(1)] does not . . . require any review at all . . . of any issue that is not the subject of an objection."); 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 accept the R&R and dismiss the Complaint without prejudice as
2 moot. *See* 28 U.S.C. § 636(b)(1) (stating that the district court “may accept, reject, or
3 modify, in whole or in part, the findings or recommendations made by the magistrate”);
4 Fed. R. Civ. P. 72(b)(3) (“The district judge may accept, reject, or modify the
5 recommended disposition; receive further evidence; or return the matter to the magistrate
6 judge with instructions.”).

7 **IT IS ORDERED:**

- 8 1. Magistrate Judge Burns’ R&R (Doc. 11) is **accepted**.
- 9 2. Petitioner’s Petition for a Writ of Habeas Corpus (Doc. 1) is **dismissed**
10 **without prejudice as moot**.
- 11 3. The Clerk of Court shall **terminate** this action.
- 12 4. Because this case arises under 28 U.S.C. § 2241, no ruling on a certificate
13 of appealability is required.

14 Dated this 16th day of January, 2015.

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17 _____
18 G. Murray Snow
19 United States District Judge
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