

1 NOT FOR PUBLICATION  
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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**

8 George Soto,  
9

10 Petitioner,

11 v.

12 Charles L. Ryan, *et al.*,

13 Respondents.

No. CV-14-02562-PHX-JJT

**ORDER**

14 At issue is the Report and Recommendation (R&R) (Doc. 15) prepared in this  
15 matter by United States Magistrate Judge Eileen Willett, recommending the Court deny  
16 and dismiss the Petition for habeas review on the merits. Petitioner timely filed an  
17 Objection (Doc. 20) and Respondent has filed no response.

18 The Court will adopt in whole Judge Willett's R&R, as it correctly and reasonably  
19 applies the law under AEDPA, 28 U.S.C. §§ 2244 and 2254 and *Strickland v.*  
20 *Washington*, 466 U.S. 668 (1984), to Petitioner's ineffective assistance of counsel claim.  
21 Neither the state court's ruling that Petitioner's trial counsel did not perform in a  
22 constitutionally deficient matter, nor its finding that Petitioner failed to establish  
23 prejudice, is contrary to or an unreasonable application of *Strickland*.

24 Petitioner's Objection to the R&R fails to persuade otherwise. He simply restates  
25 in conclusory fashion that the state court violated the above standard, and to the extent  
26 that the Objection can be construed to argue facts previously alleged, Judge Willett's  
27 R&R addresses head-on those facts and their inadequacy to show inadequacy under the  
28 *Strickland* standard.

