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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

William Wek,	}	No. CV-15-00103-PHX-SPL
	}	
Petitioner,	}	<b>ORDER</b>
vs.	}	
	}	
Jon M. Gurule,	}	
	}	
Respondent.	}	

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Petitioner William Wek has filed a First Amended Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 (Doc. 17). The Honorable James F. Metcalf, United States Magistrate Judge, issued a Report and Recommendation (“R&R”) (Doc. 38), recommending that the Court dismiss the amended petition. Judge Metcalf 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. 38 at 7) (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)).

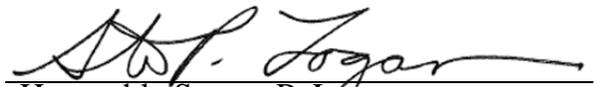
The parties did not file objections, which relieves the Court of its obligation to review the R&R. *See Reyna-Tapia*, 328 F.3d at 1121; *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (“[Section 636(b)(1)] does not . . . require any review at all . . . of any issue that is not the subject of an objection.”); 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 dismiss this action. *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’s Report and Recommendation (Doc. 38) is  
8 **accepted** and **adopted** by the Court;
- 9 2. That the First Amended Petition for Writ of Habeas Corpus pursuant to 28  
10 U.S.C. § 2241 (Doc. 17) is **dismissed without prejudice** for failure to prosecute; and
- 11 3. That the Clerk of Court shall **terminate** this action.

12 Dated this 14th day of August, 2015.

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14   
15 Honorable Steven P. Logan  
16 United States District Judge  
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