IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Jeremiah Lee Tomlinson,
Petitioner,
vs.
Laura Escapule, et al.,
Respondents.

Petitioner Jeremiah Lee Tomlinson has filed a First Amended Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (Doc. 9). The Honorable Deborah M. Fine, United States Magistrate Judge, issued a Report and Recommendation ("R&R") (Doc. 25), recommending that the Court deny the Petition. Judge Fine 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. 25 at 8); 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 Fine's Report and Recommendation (Doc. 25) 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. § 2254 (Doc. 9) is denied and this action is dismissed with prejudice ;
11	3. That a certificate of appealability and leave to proceed <i>in forma pauperis</i> on
12	appeal are denied ; and
13	4. That the Clerk of Court shall terminate this action.
14	Dated this 22nd day of November, 2016.
15	At Trace
16	Honorable Steven P. Logan United States District Indee
17	United States District Mage
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