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

Dell Rainbow Vanderschuit,
Petitioner,
v.
Charles L Ryan, et al.,
Respondents.

No. CV-15-00915-PHX-JAT

ORDER

Pending before the Court is Petitioner’s Petition for Writ of Habeas Corpus (“Petition”). The Magistrate Judge issued a Report and Recommendation (“R&R”) (Doc. 44) recommending that the Petition be denied.

Neither party has filed objections to the R&R. Accordingly, the Court hereby accepts the R&R. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985) (finding that district courts are not required to conduct “any review at all . . . of any issue that is not the subject of an objection” (emphasis added)); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en banc*) (“statute makes it clear that the district judge must review the magistrate judge’s findings and recommendations de novo if objection is made, but not otherwise” (emphasis in original)); *see also Schmidt v. Johnstone*, 263 F.Supp.2d 1219, 1226 (D. Ariz. 2003).

Based on the foregoing,

IT IS ORDERED that the Magistrate Judge’s Report and Recommendation (Doc.

1 44) is **ACCEPTED**; accordingly,

2 • Petitioner’s Petition for Writ of Habeas Corpus is denied and dismissed with
3 prejudice;

4 • in the event Petitioner files an appeal and consistent with the unobjected-to
5 recommendation in the R&R (Doc. 44 at 33), the Court denies issuance of a certificate of
6 appealability because jurists of reason would not find the procedural rulings debatable
7 and Petitioner has not made a substantial showing of the denial of a constitutional right;
8 and,

9 • the Clerk of the Court shall enter judgment of dismissal with prejudice.

10 Dated this 21st day of September, 2016.

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