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

Francisco Martinez Medina,
Petitioner,
v.
Charles L. Ryan, et al.,
Respondents.

No. CV-15-01033-PHX-ROS
ORDER

On August 29, 2016, Magistrate Judge Eileen S. Willett issued a Report and Recommendation (“R&R”) recommending the petition for writ of habeas corpus be denied. (Doc. 14.) No objections were filed.

A district judge “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b). Where any party has filed timely objections to the R&R, the district court’s review of the part objected to must be *de novo*. *Id.* If, however, no objections are filed, the district court need not conduct such a review. *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003). No objections having been filed, the R&R will be adopted in full.

Accordingly,

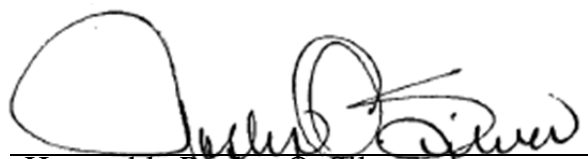
IT IS ORDERED the Report and Recommendation (Doc. 14) is **ADOPTED** and the petition for writ of habeas corpus is **DENIED**.

IT IS FURTHER ORDERED a Certificate of Appealability and leave to proceed in forma pauperis on appeal are **DENIED** because the dismissal of the petition is justified

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by a plain procedural bar and jurists of reason would not find the procedural ruling debatable.

Dated this 26th day of October, 2016.



Honorable Roslyn O. Silver
Senior United States District Judge