

1 NOT FOR PUBLICATION
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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Ignacio Romero Romero,
10 Petitioner,
11 v.
12 Charles L. Ryan, *et al.*,
13 Respondents.
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No. CV-15-02018-PHX-JJT

ORDER

15 At issue is the Report and Recommendation (R&R) (Doc. 17) entered by United
16 States Magistrate Judge Bridget S. Bade in this matter recommending that the Court deny
17 the Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 as untimely.
18 Petitioner filed no objection to the R&R and the time to do so has now passed. As the
19 R&R warned, Petitioner's failure to object results in the Court accepting the R&R
20 without further review, and issuing an order of judgment pursuant to those
21 recommendations. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

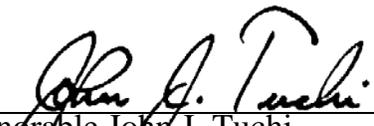
22 Even were the Court to conduct further review, the R&R correctly concluded that
23 the statute of limitations for this 2254 petition expired July 11, 2004. Petitioner did not
24 file this petition until more than eleven years later, and no equitable tolling or other
25 exception to that limitations period applies. The Court therefore must deny and dismiss
26 the Petition.

27 IT IS ORDERED denying and dismissing as untimely the Petition for Writ of
28 Habeas Corpus pursuant to 28 U.S.C. § 2254.

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IT IS FURTHER ORDERED denying a certificate of appealability in this matter because dismissal of the Petition is justified by a plain procedural bar and reasonable jurists would not find the ruling debatable. The Clerk of Court shall close this matter.

Dated this 31st day of October, 2016.



Honorable John J. Tuchi
United States District Judge