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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF ARIZONA  
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9 Thare Gonzalez-Medina,  
10 Petitioner,  
11 v.  
12 USA,  
13 Respondent.

No. CV15-2434 PHX DGC (DKD)

**ORDER**

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15 Petitioner, Thare Gonzalez-Medina, filed a motion to vacate sentence pursuant to  
16 28 U.S.C. § 2255 (Doc. 1), which was amended by Petitioner's amended motion to  
17 vacate sentence pursuant to 28 U.S.C. § 2255 (Doc. 6). United States Magistrate Judge  
18 David K. Duncan has issued a report and recommendation ("R&R") recommending that  
19 the amended motion be denied and dismissed with prejudice. Doc. 17. No objection has  
20 been filed, which relieves the Court of its obligation to review the R&R. *See* 28 U.S.C. §  
21 636(b)(1); Fed. R. Civ. P. 72(b)(3); *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United*  
22 *States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). The Court will accept the  
23 R&R and deny the amended motion.

24 **IT IS ORDERED:**

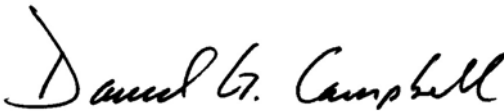
- 25 1. The R&R (Doc. 17) is **accepted**.  
26 2. The amended motion to vacate sentence (Doc. 6) is **denied and dismissed**  
27 **with prejudice..**  
28 3. A certificate of appealability and leave to proceed *in forma pauperis* on

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appeal are **denied**

4. The Clerk is directed to **terminate** this action.

Dated this 24th day of October, 2016.



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David G. Campbell  
United States District Judge