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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Edward Lamar Carpenter,
Petitioner,
v.
Charles L. Ryan; et al.,
Respondents.

No. CV-16-00471-PHX-NVW (JFM)

**ORDER
and
DENIAL OF CERTIFICATE OF
APPEALABILITY AND IN FORMA
PAUPERIS STATUS**

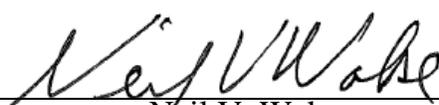
Pending before the Court is the Report and Recommendation (“R&R”) of Magistrate Judge James F. Metcalf (Doc. 21) regarding petitioner’s Amended Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254 (Doc. 10). The R&R recommends that that the following portions of Petitioner’s Amended Petition for Writ of Habeas Corpus, filed April 11, 2016 (Doc. 10) be denied: (1) the portion of Ground 1(a)(1) based upon counsel’s failure to call witnesses; (2) the portion of Ground 1(a)(2) based upon counsel’s failure to call a banking expert; and (3) Ground 1(a)(3) (ineffectiveness re documents) and that the remainder of Petitioner’s Amended Petition for Writ of Habeas Corpus, filed April 11, 2016 (Doc. 10) be dismissed with prejudice.

The Magistrate Judge advised the parties that they had fourteen days to file objections to the R&R. (R&R at 32 (citing *see United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*)). Petitioner filed objections on November 7, 2016 (Doc. 22).

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Amended Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254 (Doc. 10) with prejudice. The Clerk shall terminate this action.

Dated this 29th day of November, 2016.



Neil V. Wake
Senior United States District Judge