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**IN THE UNITED STATES DISTRICT COURT**

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**FOR THE DISTRICT OF ARIZONA**

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Luis Avelino Camacho,

No. CV-16-00513-PHX-GMS

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Petitioner,

**ORDER**

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v.

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Charles L. Ryan,

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Respondent.

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Pending before the Court are Plaintiff's Petition for Writ of Habeas Corpus and United States Magistrate Judge David K. Duncan's Report and Recommendation ("R&R"). Docs. 1, 15. The R&R recommends that the Court deny the Petition and dismiss with prejudice. Doc. 7 at 15. The Magistrate Judge advised the parties that they had fourteen days to file objections to the R&R and that failure to file timely objections could be considered a waiver of the right to obtain review of the R&R. *Id.* at 16 (citing Fed. R. Civ. P. 72, 6(a), 6(b); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)).

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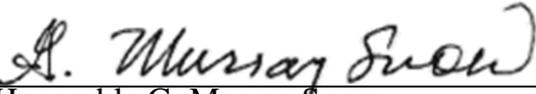
The parties did not file objections, which relieves the Court of its obligation to review the R&R. *See Reyna-Tapia*, 328 F.3d at 1121; *Thomas v. Arn*, 474 U.S. 140, 149 (1985) ("[Section 636(b)(1)] does not . . . require any review at all . . . of any issue that is not the subject of an objection."); Fed. R. Civ. P. 72(b)(3) ("The district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to."). The Court has nonetheless reviewed the R&R and finds that it is well-

1 taken. The Court will accept the R&R and deny the Petition and dismiss with prejudice.  
2 *See* 28 U.S.C. § 636(b)(1) (stating that the district court “may accept, reject, or modify, in  
3 whole or in part, the findings or recommendations made by the magistrate”); Fed. R. Civ.  
4 P. 72(b)(3) (“The district judge may accept, reject, or modify the recommended  
5 disposition; receive further evidence; or return the matter to the magistrate judge with  
6 instructions.”).

7 **IT IS ORDERED:**

- 8 1. Magistrate Judge Duncan’s R&R (Doc. 15) is **accepted**.
- 9 2. Petitioner’s Petition for Writ of Habeas Corpus (Doc. 1) is **denied and**  
10 **dismissed with prejudice**.
- 11 3. The Clerk of Court shall **terminate** this action and enter judgment  
12 accordingly.
- 13 4. Pursuant to Rule 11(a) of the Rules Governing Section 2254 Cases, in the  
14 event Petitioner files an appeal, the Court declines to issue a certificate of appealability  
15 because reasonable jurists would not find the Court’s procedural ruling debatable. *See*  
16 *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

17 Dated this 20th day of July, 2016.

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20 Honorable G. Murray Snow  
21 United States District Judge  
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