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

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Mohammed Mostafa Altayar,

No. CV-16-02479-PHX-GMS

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Petitioner,

ORDER

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v.

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Loretta E Lynch, et al.,

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Respondents.

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Pending before the Court is Petitioner's Petition for Writ of Habeas Corpus and United States Magistrate Judge John Z. Boyle's Report and Recommendation ("R&R"). Docs. 1, 18. The R&R recommends that the Court deny the Petition and dismiss this action with prejudice. Doc. 18 at 10. 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 11 (citing Fed. R. Civ. P. 6(a), 6(b) and 72; *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)).

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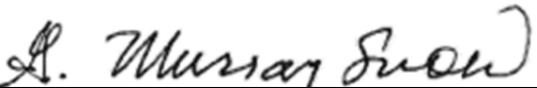
The parties did not file objections, which relieves the Court of its obligation to review the R&R. *See Reyna-Tapia*, 328 F.3d at 1121; *Thomas v. Arn*, 474 U.S. 140, 149 (1985) ("[Section 636(b)(1)] does not . . . require any review at all . . . of any issue that is not the subject of an objection."); 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 Boyle’s R&R (Doc. 18) is **accepted**.
- 9 2. The Petition for Writ of Habeas Corpus (Doc. 1) is **denied**.
- 10 3. The Motion for Preliminary Injunction (Doc. 4) is **denied**.
- 11 4. Because this case arises under 28 U.S.C. § 2241, no ruling on a certificate
12 of appealability is required.

13 Dated this 20th day of December, 2016.

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Honorable G. Murray Snow
16 United States District Judge