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5 **IN THE UNITED STATES DISTRICT COURT**
6 **FOR THE DISTRICT OF ARIZONA**
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8 Daniel Horton,

9 Petitioner,

10 v.

11 Anne Jacobs, et al.,

12 Respondents.
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No. CV-16-03156-PHX-ROS

ORDER

14 On February 26, 2018, Magistrate Judge Eileen S. Willett issued a Report and
15 Recommendation concluding the Petition for Writ of Habeas Corpus should be dismissed
16 with prejudice. (Doc. 17). Petitioner did not file any objections. Therefore, the Report
17 and Recommendation will be adopted in full.

18 Accordingly,

19 **IT IS ORDERED** the Report and Recommendation (Doc. 17) is **ADOPTED IN**
20 **FULL** and the Petition for Writ of Habeas Corpus (Doc. 1) is **DISMISSED WITHOUT**
21 **PREJUDICE.**

22 **IT IS FURTHER ORDERED** a Certificate of Appealability and leave to proceed
23 in forma pauperis on appeal are denied because dismissal of the petition is justified by a
24 plain procedural bar and reasonable jurists would not find the ruling debatable.

25 Dated this 3rd day of April, 2018.

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Honorable Roslyn O. Silver
Senior United States District Judge