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

Elsia Michelle Greer,

Petitioner,

v.

USA,

Respondent.

No. CV-17-00298-PHX-DLR;

No. CR-14-50166

ORDER

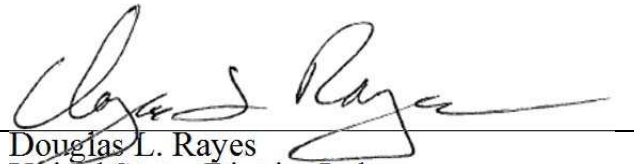
Before the Court is Petitioner Elsia Michelle Greer’s motion to vacate, set aside, or correct sentence and United States Magistrate Judge Eileen S. Willet’s Report and Recommendation (“R&R”). (Docs. 1, 10.) The R&R recommends that the Court dismiss the motion as moot and for failure to prosecute. The 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. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Petitioner 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-taken. The Court will accept

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

6 **IT IS ORDERED** that Magistrate Judge Willett’s R&R (Doc. 10) is
7 **ACCEPTED**. Petitioner’s motion to vacate, set aside, or correct sentence (Doc. 1 in CV-
8 17-00298; Doc. 18 in CR-14-50166) is **DISMISSED** with prejudice. The Clerk of the
9 Court shall terminate this case.

10 Dated this 28th day of February, 2018.

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Douglas L. Rayes
United States District Judge