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

Randall Mark Korelc,
Petitioner,
v.
Charles Ryan, *et al.*,
Respondents.

No. CV-17-00355-PHX-JJT (MHB)
ORDER

Petitioner Randall Korelc filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (Doc. 1). After considering briefing of the parties, United States Magistrate Judge Michelle H. Burns submitted a Report and Recommendation (“R&R”) (Doc. 13), recommending that this Court deny and dismiss with prejudice the Petition on the merits. Petitioner timely filed Objections to the R&R (Doc. 15), and Respondents Charles Ryan and the Attorney General of Arizona filed a Response to the Objections (Doc. 16). Apparently as a prophylactic measure, Petitioner separately filed an Application for Certificate of Appealability (COA) (Doc. 18).

The Court will adopt in whole Judge Burns’s R&R, including the reasoning underlying her conclusion that Petitioner is not entitled to relief on any of the four grounds he urged. In her exhaustive, 38-page R&R, Judge Burns cited the correct law to support each of those conclusions. In light of that exhaustive treatment, the Court will not repeat that analysis here. Petitioner’s Objections fail to point out any errors in Judge Burns’s reasoning. Instead the Objections simply state, conclusorily, that Judge Burns’s reasoning

1 and conclusions are in error without raising anything in terms of fact or law in the record
2 that she failed to consider. Indeed, Petitioner argues in his Objections that Judge Burns
3 “just basically mirrored what the state courts [sic] decision was[,] which was erroneous on
4 the facts.” (Doc. 15 at 12.) The Court observes that Judge Burns’s conclusions and
5 reasoning were entirely consistent with those of the Arizona Court of Appeals. And this
6 was for good reason. As this Court concludes, the reasoning of that court, and the case law
7 on which it relied to support that reasoning, are correct. The Court will deny and dismiss
8 with prejudice the Petition in this matter. It also will deny Petitioner’s separate application
9 for a COA.

10 IT IS ORDERED overruling Petitioner’s Objections to the R&R in this matter (Doc.
11 15).

12 IT IS FURTHER ORDERED adopting in whole Judge Burns’s R&R (Doc. 13.)

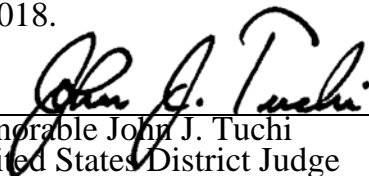
13 IT IS FURTHER ORDERED denying and dismissing with prejudice the Petition
14 for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (Doc. 1).

15 IT IS FURTHER ORDERED denying a COA because Petitioner has not made a
16 substantial showing of the denial of a constitutional right.

17 IT IS FURTHER ORDERED denying Petitioner’s Application for Certificate of
18 Appealability (Doc. 18).

19 The Clerk of Court shall enter judgment accordingly and close this matter.

20 Dated this 6th day of December, 2018.

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22 _____
23 Honorable John J. Tuchi
24 United States District Judge
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