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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Michael Cicero,

10 Petitioner,

11 v.

12 Charles L Ryan, et al.,

13 Respondents.
14

No. CV-17-01213-PHX-JAT

ORDER

15 Pending before the Court is Petitioner's Petition for Writ of Habeas Corpus. The
16 Magistrate Judge to whom this case was assigned issued a Report and Recommendation
17 ("R&R") on March 12, 2018 recommending that the Petition in this case be denied.
18 Neither party has filed objections to the R&R.

19 This Court "may accept, reject, or modify, in whole or in part, the findings or
20 recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). It is "clear that
21 the district judge must review the magistrate judge's findings and recommendations *de*
22 *novo if objection is made*, but not otherwise." *United States v. Reyna-Tapia*, 328 F.3d
23 1114, 1121 (9th Cir. 2003) (*en banc*) (emphasis in original); *Schmidt v. Johnstone*, 263
24 F.Supp.2d 1219, 1226 (D. Ariz. 2003) ("Following *Reyna-Tapia*, this Court concludes
25 that *de novo* review of factual and legal issues is required if objections are made, 'but not
26 otherwise.'"); *Klamath Siskiyou Wildlands Ctr. v. U.S. Bureau of Land Mgmt.*, 589 F.3d
27 1027, 1032 (9th Cir. 2009) (the district court "must review *de novo* the portions of the
28 [Magistrate Judge's] recommendations to which the parties object."). District courts are

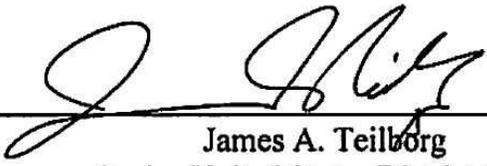
1 not required to conduct “any review at all . . . of any issue that is not the subject of an
2 objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (emphasis added); *see also* 28
3 U.S.C. § 636(b)(1) (“the court shall make a *de novo* determination of those portions of
4 the [report and recommendation] to which objection is made.”).

5 As a result of the foregoing,

6 **IT IS ORDERED** that the Report and Recommendation (Doc. 13) is accepted and
7 adopted. The Petition is denied and dismissed, with prejudice. The Clerk of the Court
8 shall enter judgment accordingly.

9 Dated this 11th day of April, 2018.

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James A. Teilborg
Senior United States District Judge