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

Eddy Muga Mgassa,  
Petitioner,  
v.  
U.S. Immigration and Customs  
Enforcement, et al.,  
Respondents.

No. CV-17-01339-PHX-GMS  
**ORDER**

Pending before the Court are Petitioner’s Second Amended Petition for Writ of Habeas Corpus and United States Magistrate Judge Boyle’s Report and Recommendation (“R&R”). (Docs. 9, 20). The R&R recommends that the Court deny and dismiss with prejudice the Second Amended Petition. Doc. 20 at 6. The Magistrate Judge advised the parties that they had fourteen (14) 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 6 (citing Fed. R. Civ. P. 72 (b); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)).

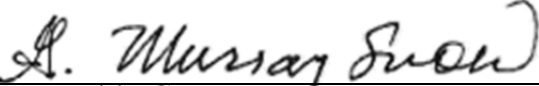
The parties did not file objections, which relieves the Court of its obligation to review the R&R. *See Reyna-Tapia*, 328 F.3d at 1121; *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (“[Section 636(b)(1)] does not . . . require any review at all . . . of any issue that is not the subject of an objection.”); 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 will accept the R&R and deny and dismiss with prejudice the

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

6 **IT IS ORDERED:**

- 7 1. Magistrate Judge Boyle’s R&R (Doc. 20) is **ACCEPTED**.
- 8 2. Petitioner’s Second Amended Petition for Writ of Habeas Corpus (Doc. 9)  
9 is **DENIED AND DISMISSED WITH PREJUDICE**.
- 10 3. The Clerk of Court shall **TERMINATE** this action and enter judgement  
11 accordingly.
- 12 4. Because this case arises under 28 U.S.C. § 2241, no ruling on a certificate  
13 of appealability is required.

14 Dated this 19th day of April, 2018.

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17 Honorable G. Murray Snow  
18 United States District Judge  
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