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

William Wakasiaka,

Petitioner,

v.

Enrique M Lucero,

Respondent.

No. CV-17-01487-PHX-DLR

**ORDER**

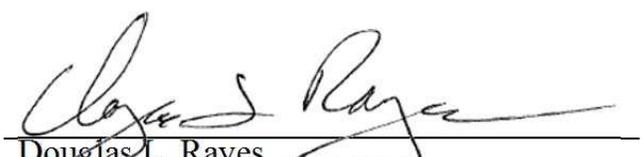
Before the Court are Petitioner William Wakasiaka's Petition for Writ of Habeas Corpus and United States Magistrate Judge David K. Duncan's Report and Recommendation ("R&R"). (Docs. 1, 12.) The R&R recommends that the Court dismiss the Petition as moot. The Magistrate Judge advised the parties that they 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 the R&R and

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

6 **IT IS ORDERED** that Magistrate Judge Duncan’s R&R (Doc. 12) is  
7 **ACCEPTED**. Petitioner’s Petition for Writ of Habeas Corpus (Doc. 1) is **DISMISSED**  
8 **as moot**. The Clerk of the Court shall terminate this case.

9 Dated this 23rd day of October, 2017.

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Douglas L. Rayes  
United States District Judge