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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Lyudvig Khaimov,

No. CV-17-02249-PHX-GMS

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Petitioner,

ORDER

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v.

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Enrique M Lucero, et al.,

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Respondents.

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Pending before the Court are Petitioner's Petition for Writ of Habeas Corpus (Doc. 1) and United States Magistrate Judge Eileen S. Willett's Report and Recommendation ("R&R"), which recommends dismissal of the Petition. (Doc. 14.) The R&R recommends that the Court dismiss the Petition without prejudice. (Doc. 14 at 2.) 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. *Id.* at 2-3 (citing 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6, 72; *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)).

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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 dismiss the Petition without

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

6 **IT IS ORDERED:**

7 1. Magistrate Judge Willett’s R&R (Doc. 14) is **ACCEPTED**.

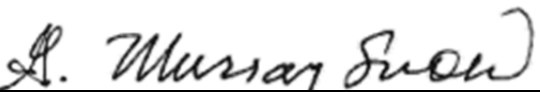
8 2. Petitioner’s Petition for Writ of Habeas Corpus (Doc. 1) is **DISMISSED**

9 **WITHOUT PREJUDICE.**

10 3. The Clerk of Court shall **TERMINATE** this action.

11 4. Because this case arises under 28 U.S.C. § 2241, no ruling on a certificate
12 of appealability is required.

13 Dated this 25th day of May, 2018.

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Honorable G. Murray Snow
16 United States District Judge