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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Francisco Antonio Mishenko, III,
Plaintiff,
vs.
Mesa Police Department, et al.,
Defendants.

No. CV17-2329 PHX DGC (CDB)
ORDER

Plaintiff Francisco Antonio Mishenko, III has filed a pro se civil rights complaint pursuant to 42 U.S.C. § 1983. Doc. 1. United States Magistrate Camille D. Bibles has issued a report and recommendation (“R&R”) recommending that the complaint be dismissed for Plaintiff’s failure to prosecute. Doc. 65. No objection has been filed, which relieves the Court of its obligation to review the R&R. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3); *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). The Court will accept the R&R and dismiss the complaint for failure to prosecute.

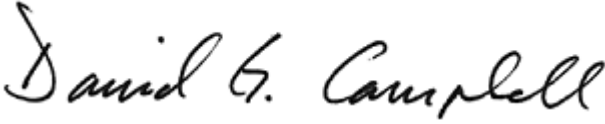
IT IS ORDERED:

1. The R&R (Doc. 65) is **accepted**.
2. The civil rights complaint (Doc. 1) is **dismissed with prejudice for failure to prosecute**.
3. A certificate of appealability and leave to proceed *in forma pauperis* on appeal are **denied**

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4. The Clerk is directed to **terminate** this action.

Dated this 4th day of April, 2019.



David G. Campbell
Senior United States District Judge