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

Mark Anthony Ayers,

Petitioner,

v.

Arizona Department of Corrections, et al.,

Respondents.

No. CV-18-01989-PHX-DLR

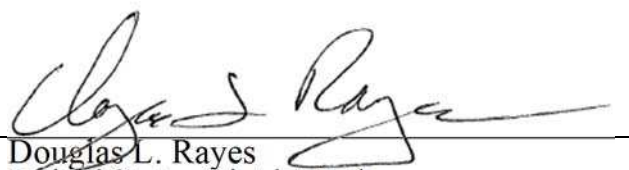
**ORDER**

Before the Court are Petitioner Mark Anthony Ayers' Petition for Writ of Habeas Corpus and United States Magistrate Judge John Z. Boyle's Report and Recommendation ("R&R"). (Docs. 1, 16.) The R&R recommends that the Court deny the Petition. 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* Fed. R. Civ. P. 72; *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); Fed. R. Civ. P. 72(b)(3). The Court nonetheless has reviewed the R&R and finds that it is well-taken. The Court will accept the R&R and deny the Petition. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

**IT IS ORDERED** that the R&R (Doc. 16) is **ACCEPTED**. Petitioner's Petition for Writ of Habeas Corpus (Doc. 1) is **DENIED** and **DISMISSED WITH PREJUDICE**.

1 A Certificate of Appealability and leave to proceed in forma pauperis on appeal are  
2 **DENIED** because dismissal of the Petition is justified by a plain procedural bar and jurists  
3 of reason would not find the ruling debatable. The Clerk of the Court shall terminate this  
4 case.

5 Dated this 10th day of May, 2019.

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10 Douglas L. Rayes  
11 United States District Judge  
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