

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

Vernon Stuart Nash,

 Petitioner,

v.

Charles L Ryan, et al.,

 Respondents.

No. CV-18-02986-PHX-RCC

ORDER

On May 18, 2021, Magistrate Judge Bruce G. Macdonald issued a Report and Recommendation (“R&R”) in which he recommended that the Court enter an order denying Petitioner Vernon Stuart Nash’s Petition Under 28 U.S.C. § 2254 for a Writ of Habeas Corpus by a Person in State Custody (Non-Death Penalty) (Doc. 12). (Doc. 20.) Judge Macdonald notified the parties they had fourteen days from the date of the R&R to file objections and an additional fourteen days to file a response. (*Id.* at 26.) No objections were filed.

If neither party objects to a magistrate judge’s report and recommendation, the District Court is not required to review the magistrate judge’s decision under any specified standard of review. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). However, the statute guiding review of a magistrate judge’s recommendation “does not preclude further review by the district judge, *sua sponte* or at the request of a party, under a *de novo* or any other standard.” *Id.* at 154.

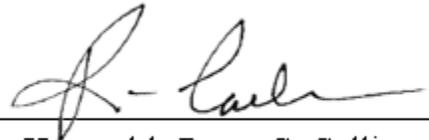
The Court has reviewed and considered the amended Petition (Doc. 12), Judge

1 Macdonald's screening order (Doc. 13), Respondent's limited response (Doc. 17), and
2 the R&R (Doc. 20). The Court finds the R&R well-reasoned and agrees with Judge
3 Macdonald's conclusions.

4 Accordingly, IT IS ORDERED the R&R is ADOPTED (Doc. 20) and Plaintiff's
5 Petition Under 28 U.S.C. § 2241 for a Writ of Habeas Corpus by a Person in Federal
6 Custody (Doc. 12) is DISMISSED WITH PREJUDICE. The Clerk of Court shall docket
7 accordingly and close the case file in this matter.

8 Pursuant to Rule 11(a) of the Rules Governing Section 2254 Cases, in the event
9 Petitioner files an appeal, the Court declines to issue a certificate of appealability because
10 reasonable jurists would not find the Court's ruling debatable. *See Slack v. McDaniel*, 529 U.S.
11 473, 484 (2000).

12 Dated this 13th day of July, 2021.

13
14
15
16 

17 _____
18 Honorable Raner C. Collins
19 Senior United States District Judge
20
21
22
23
24
25
26
27
28