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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Hubert Jordan, Jr.,

10 Petitioner,

11 v.

12 Ryan Thornell, et al.,

13 Respondents.
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No. CV-23-01208-PHX-MTL

ORDER

15 Before the Court is the Report and Recommendation of Magistrate Judge Alison S.
16 Bachus (“R & R”) (Doc. 10) recommending that the Petition for Writ of Habeas Corpus
17 (Doc. 1) be denied and dismissed with prejudice, and that a certificate of appealability and
18 leave to proceed in forma pauperis on appeal be denied. Petitioner has not filed any
19 objections to the R & R. The deadline to do so passed fourteen days following service of
20 the R & R, which was electronically mailed to Petitioner on February 9, 2024.

21 In reviewing an R & R, the Court “may accept, reject, or modify, in whole or in part,
22 the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1).
23 “[T]he district judge must review the magistrate judge's finding and recommendations *de*
24 *novo if objection is made*, but not otherwise.” *United States v. Reyna-Tapia*, 328 F.3d 1114,
25 1121 (9th Cir. 2003) (en banc) (emphasis in original); *see Thomas v. Arn*, 474 U.S. 140,
26 149 (1985) (finding that the District Court need not conduct “any review at all . . . of any
27 issue that is not the subject of an objection”). No objections having been received, the Court
28 will accept and adopt the R & R in its entirety.

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Accordingly,

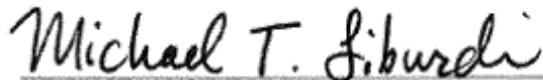
IT IS ORDERED that the Report and Recommendation (Doc. 10) is **accepted**.

IT IS FURTHER ORDERED that the Petition for Writ of Habeas Corpus (Doc. 1) is **dismissed with prejudice**.

IT IS FURTHER ORDERED denying the issuance of a certificate of appealability and leave to proceed in forma pauperis on appeal because Petitioner has not demonstrated that reasonable jurists could find the ruling debatable or conclude that the issues presented are adequate to deserve encouragement to proceed further. *See Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003).

IT IS FINALLY ORDERED that the Clerk of Court shall enter judgment accordingly and close this case.

Dated this 4th day of June, 2024.



Michael T. Liburdi
United States District Judge