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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Robert David Fuller,

10 Petitioner,

11 v.

12 Russell Hetsner,

13 Respondent.
14

No. CV-23-01981-PHX-DJH

ORDER

15 This matter is before the Court on Petitioner Robert Fuller’s (“Petitioner”) Petition
16 for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 (Doc. 1) and the Report and
17 Recommendation (“R&R”) (Doc. 13) issued by United States Magistrate Judge Camille
18 D. Bibles on April 18, 2024.

19 Judge Bibles advised the parties that they had fourteen days to file objections and
20 that the failure to timely do so may result in the District Court’s acceptance of the Report
21 and Recommendation without further review. (Doc. 13 at 6) (citing *United States v.*
22 *Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en banc*)). Petitioner has not filed an
23 objection and the time to do so has expired. Respondent has also not filed an objection.
24 Absent any objections, the Court is not required to review the findings and
25 recommendations in the R&R. *See Thomas v. Arn*, 474 U.S. 140, 149 (1989) (noting that
26 the relevant provision of the Federal Magistrates Act, 28 U.S.C. § 636(b)(1), “does not on
27 its face require any review at all . . . of any issue that is not the subject of an objection”);
28 *Reyna-Tapia*, 328 F.3d at 1121 (same); Fed.R.Civ.P. 72(b)(3) (“The district judge must

1 determine de novo any part of the magistrate judge’s disposition that has been properly
2 objected to.”).

3 Nonetheless, the Court has reviewed Judge Bible’s well-reasoned R&R and
4 agrees with its findings and recommendations. The Court will, therefore, accept the R&R
5 and dismiss the Petition. *See* 28 U.S.C. § 636(b)(1) (“A judge of the court may accept,
6 reject, or modify, in whole or in part, the findings or recommendations made by the
7 magistrate judge.”); Fed.R.Civ.P. 72(b)(3) (same).


8 Accordingly,

9 **IT IS ORDERED** that the R&R (Doc. 13) is **accepted** and **adopted** as the Order
10 of this Court.

11 **IT IS FURTHER ORDERED** that the Petition for Writ of Habeas Corpus
12 pursuant to 28 U.S.C. § 2241 (Doc. 1) is **denied and dismissed as moot**.

13 **IT IS FINALLY ORDERED** that the Clerk of Court shall terminate this action
14 and enter judgment accordingly.

15 Dated this 9th day of May, 2024.

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19 Honorable Diane J. Humetewa
20 United States District Judge
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