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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

United States of America,	)	No. CV 09-8214-PCT-EHC (JRI)
	)	No. CR 06-0346-PCT-EHC
Plaintiff/Respondent,	)	
vs.	)	<b>ORDER</b>
	)	
Ruben Andrade-Casales,	)	
	)	
Defendant/Movant.	)	
	)	

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On November 30, 2009, Movant filed a Motion to Vacate, Set Aside or Correct Sentence under 28 U.S.C. § 2255. The United States has filed a Response. The matter was referred to Magistrate Judge Jay R. Irwin who filed a Report and Recommendation on February 17, 2011 recommending that the Motion be dismissed with prejudice as to Ground One and denied as to Ground Two (Doc. 11 - CV 09-8214).

The district court reviews de novo the portions of the Magistrate Judge's Report and Recommendation to which there is a filed objection. 28 U.S.C. § 636(b)(1)(C) ("a judge of the court shall make a de novo determination of those portions of the report, ..., to which objection is made"); see also United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003). The district court is not required to review any issue that is not the subject of an objection. Schmidt v. Johnstone, 263 F. Supp. 2d 1219 (D. Ariz. 2003), citing Thomas v. Arn, 474 U.S. 140, 149 (1985). Movant has not filed an objection to the Report and Recommendation within the time allowed.

