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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Thomas Mongeon,

10 Petitioner,

11 v.

12 Charles L. Ryan, et al.,

13 Respondents.
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No. CV-14-08024-PCT-JAT

ORDER

15 Pending before the Court is Petitioner's Petition for Writ of Habeas Corpus
16 ("Petition") (Doc. 1). The Magistrate Judge issued a Report and Recommendation
17 ("R&R") (Doc. 14) recommending that the Petition be denied.

18 Neither party has filed objections to the R&R. Accordingly, the Court hereby
19 accepts the R&R. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985) (finding that district
20 courts are not required to conduct "any review at all . . . of any issue that is not the
21 subject of an objection" (emphasis added)); *United States v. Reyna-Tapia*, 328 F.3d 1114,
22 1121 (9th Cir. 2003) (*en banc*) ("statute makes it clear that the district judge must review
23 the magistrate judge's findings and recommendations de novo if objection is made, but
24 not otherwise" (emphasis in original)); *see also Schmidt v. Johnstone*, 263 F.Supp.2d
25 1219, 1226 (D. Ariz. 2003).

26 Based on the foregoing,

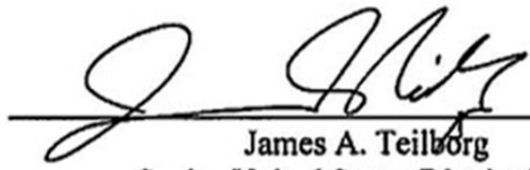
27 **IT IS ORDERED** that the Magistrate Judge's Report and Recommendation (Doc.
28 14) is **ACCEPTED**; accordingly,

1 • Petitioner’s Petition for Writ of Habeas Corpus (Doc. 1) is denied
2 and dismissed with prejudice,

3 • in the event Petitioner files an appeal, issuance of a certificate of
4 appealability is denied because denial of the petition is based on a plain procedural bar
5 and jurists of reason would not find this Court’s procedural ruling debatable. *See Slack v.*
6 *McDaniel*, 529 U.S. 473, 484 (2000), and

7 • the Clerk of the Court shall enter judgment of dismissal with
8 prejudice.

9 Dated this 15th day of July, 2015.

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14 James A. Teilborg
15 Senior United States District Judge
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