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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Tyrone James Sam,

10 Petitioner,

11 v.

12 USA,

13 Respondent.
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No. CV-14-08215-PCT-JAT
CR-12-8176-PCT-JAT

ORDER

15 Pending before the Court is Movant's Motion to Vacate, Set Aside or Correct
16 Sentence pursuant to 28 U.S.C. § 2255 (Doc. 1). The Magistrate Judge issued a Report
17 and Recommendation (R&R) (Doc. 18) recommending that the Motion 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 Accordingly,


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

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IT IS FURTHER ORDERED that Movant’s Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255 (Doc. 1) is DENIED WITH PREJUDICE; and the Clerk of the Court shall enter judgment accordingly.

IT IS FINALLY ORDERED that a Certificate of Appealability and leave to proceed in forma pauperis on appeal are denied because Movant has not made a substantial showing of the denial of a constitutional right.

Dated this 20th day of January, 2016.


James A. Teilborg
Senior United States District Judge