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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

David Levy Greenberg,

 Petitioner,

vs.

Charles L. Ryan, et al.,

 Respondents.

No. CV-16-08195-PCT-SPL (ESW)

ORDER

Petitioner David Levy Greenberg has filed a Motion to Stay Petition for Writ of Habeas Corpus (Doc. 9), to which Respondent filed a response in opposition to the motion (Doc. 10). No reply was filed, and the Honorable Eileen S. Willett, United States Magistrate Judge, issued a Report and Recommendation (“R&R”) (Doc. 12), recommending that the motion be denied. Judge Willett advised the parties that they had fourteen (14) days to file objections to the R&R and that failure to file timely objections could be considered a waiver of the right to obtain review of the R&R. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6, 72; *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

The parties did not file objections, which relieves the Court of its obligation to review the R&R. *See Reyna-Tapia*, 328 F.3d at 1121; *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (“[Section 636(b)(1)] does not . . . require any review at all . . . of any issue that is not the subject of an objection.”); Fed. R. Civ. P. 72(b)(3) (“The district judge must determine de novo any part of the magistrate judge’s disposition that has been properly

1 objected to.”). The Court has nonetheless reviewed the R&R and finds that it is well-
2 taken. The Court will adopt the R&R and will deny the motion. *See* 28 U.S.C. §
3 636(b)(1) (stating that the district court “may accept, reject, or modify, in whole or in
4 part, the findings or recommendations made by the magistrate”); Fed. R. Civ. P. 72(b)(3)
5 (“The district judge may accept, reject, or modify the recommended disposition; receive
6 further evidence; or return the matter to the magistrate judge with instructions.”).
7 Accordingly,

8 **IT IS ORDERED:**

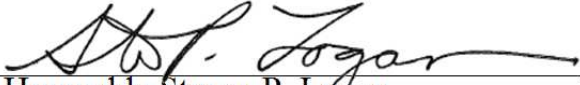
9 1. That Magistrate Judge Willett’s Report and Recommendation (Doc. 12) is
10 **accepted** and **adopted** by the Court;

11 2. That the reference to the Magistrate Judge is withdrawn as to Petitioner’s
12 Motion to Stay (Doc. 9) and the motion is **denied**;

13 3. That Petitioner shall have until **May 8, 2017** to file a Reply in accordance
14 with Judge Willet’s November 17, 2016 Order (Doc. 8); and

15 4. That this matter shall remain referred to Magistrate Judge Eileen S. Willett
16 pursuant to Rules 72.1 and 72.2 of the Local Rules of Civil Procedure for further
17 proceedings and a report and recommendation.

18 Dated this 10th day of April, 2017.

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20 
21 Honorable Steven P. Logan
22 United States District Judge
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