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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Jasper Ian Webster,

10 Petitioner,

11 v.

12 Charles L Ryan, et al.,

13 Respondents.
14

No. CV-18-08003-PCT-JAT

ORDER

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

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

26 Based on the foregoing,

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

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- Petitioner’s Petition for Writ of Habeas Corpus is denied and dismissed with prejudice,

- that pursuant to Rule 11 of the Rules Governing Section 2254 Cases, in the event Petitioner files an appeal, the Court denies issuance of a certificate of appealability because dismissal of the portions of the petition is based on a plain procedural bar and jurists of reason would not find this Court’s procedural ruling debatable, *see Slack v. McDaniel*, 529 U.S. 473, 484 (2000), and Petitioner has not made a substantial showing of the denial of a constitutional right, *see* 28 U.S.C. § 2253(c)(2); and

- the Clerk of the Court shall enter judgment of dismissal with prejudice.

Dated this 6th day of June, 2019.

