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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Clifford Williams,)	No. CV 09-508-TUC-FRZ (DTF)
Petitioner,)	ORDER
vs.)	
Craig Apker,)	
Respondent.)	

Before the Court for consideration is the Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 by a Person in Federal Custody, filed *pro se* by Petitioner Clifford Williams, presently confined in the Federal Correctional Institution (FCI) - Manchester, Kentucky, Respondent’s Motion to Dismiss and the Report and Recommendation of the Magistrate Judge, recommending that this Court enter an order summarily dismissing the Petition for lack of jurisdiction.

This action was referred to Magistrate Judge Bernardo P. Velasco, pursuant to the provisions of 28 U.S.C. § 636(b), Rule 72, Fed.R.Civ.P., and Local Rules 72.1 and 72.2 of the Rules of Practice of the United States District Court for the District of Arizona, for further proceedings and report and recommendation.

Magistrate Judge Velasco issued his Report and Recommendation, recommending that the Court enter an order dismissing the Petition based on his finding that the Court lacks jurisdiction to entertain the collateral attack on Petitioner’s sentence.

1 The Report and Recommendation sets forth the factual and procedural history of the
2 proceedings and conviction at issue, including the transfer of this case to this Court from the
3 District Court for the District of Columbia, and provides a thorough legal analysis of the
4 claims at issue.

5 The Report and Recommendation further advised, “[p]ursuant to 28 U.S.C. §636(b),
6 any party may serve and file written objections within fourteen days after being served with
7 a copy of this Report and Recommendation ...” and that “[i]f objections are not timely filed,
8 then the parties' right to de novo review by the District Court may be deemed waived.”

9 No objections were filed.

10 The Court finds, after consideration of the matters presented and an independent
11 review of the record herein, that the Report and Recommendation shall be adopted and that
12 the Petition be denied and this action be dismissed in accordance with the recommendations
13 set forth therein.

14 Based on the foregoing,

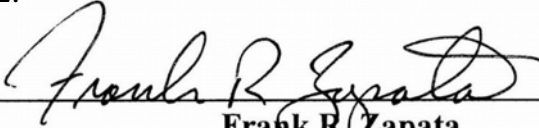
15 IT IS ORDERED that Magistrate Judge Velasco’s Report and Recommendation [Doc.
16 43] is hereby ACCEPTED AND ADOPTED as the findings of fact and conclusions of law
17 by this Court;

18 IT IS FURTHER ORDERED that the Petition for Writ of Habeas Corpus is DENIED
19 and this action is hereby DISMISSED;

20 IT IS FURTHER ORDERED that the Respondent’s Motion to Dismiss (Doc. 42) is
21 DENIED as moot;

22 IT IS FURTHER ORDERED that judgment be entered accordingly.

23
24 DATED this 11th day of July, 2012.

25
26 
27 Frank R. Zapata
28 Senior United States District Judge