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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

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10 Renie Varela Valencia,)	No. CV-09-00574-TUC-FRZ (HCE)
11 Petitioner,)	ORDER
12 vs.)	
13 Charles Ryan; and the Attorney General)	
14 of the State of Arizona,)	
15 Respondents.)	

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17 Renie Valencia was convicted by a jury of theft and burglary offenses and presently
18 is incarcerated in an Arizona state prison. He commenced this action by filing a petition for
19 writ of habeas corpus pursuant to 28 U.S.C. § 2254. Doc. 1. The amended petition asserts
20 claims of ineffective assistance of counsel, double jeopardy, and violations of the right to
21 due process and to a jury trial. Doc. 6. Respondents have filed an answer to the petition.
22 Doc. 15.

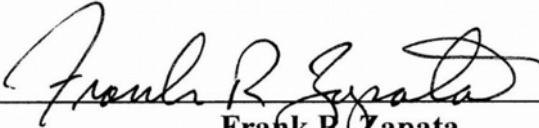
23 On January 9, 2012, United States Magistrate Judge Hector Estrada issued a report
24 and recommendation (“R&R”) that the petition be denied on the grounds that the claims
25 asserted are procedurally defaulted or otherwise without merit. Doc. 16. The parties were
26 advised that they had fourteen days to file objections to the R&R and that the failure to
27 timely file objections to any factual or legal determination may be deemed a waiver of the
28 party’s right to *de novo* review of the issues. *Id.* at 24-25.

1 No objection has been filed, which relieves the Court of its obligation to review the
2 R&R. See 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b)(3); *Thomas v. Arn*, 474 U.S. 140, 149
3 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). The Court will
4 accept the R&R and deny the petition.

5 **IT IS ORDERED:**

- 6 1. The Magistrate Judge's report and recommendation (Doc. 16) is **accepted**.
- 7 2. The amended petition for writ of habeas corpus (Doc. 6) is **denied**.
- 8 3. A certificate of appealability is **denied**.
- 9 4. The Clerk is directed to **terminate** this action.

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11 DATED this 14th day of May, 2012.

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14 Frank R. Zapata
15 Senior United States District Judge
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