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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Barry R. Schotz,  
Petitioner,

vs.

Craig Apker,  
Respondent.

) No. CV 09-703-TUC-FRZ (DTF)

) **ORDER**

Pending before the Court is a Report and Recommendation issued by United States Magistrate Judge D. Thomas Ferraro that recommends denying Petitioner’s habeas petition filed pursuant to 28 U.S.C. §2241. As throughly explained by Magistrate Judge Ferraro, the petition must be denied as Petitioner fails to demonstrate any viable grounds entitling him to habeas relief.<sup>1</sup> As Petitioner’s objections do not undermine the analysis and proper conclusion reached by Magistrate Judge Ferraro, Petitioner’s objections are rejected and the Report and Recommendation is adopted.

Accordingly, IT IS HEREBY ORDERED as follows:

- (1) The Report and Recommendation (Doc. 30) is accepted and adopted.
- (2) Petitioner’s §2241 habeas petition is denied and all other pending motions are denied; this

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<sup>1</sup>The Court reviews de novo the objected-to portions of the Report and Recommendation. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). The Court reviews for clear error the unobjected-to portions of the Report and Recommendation. *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999); *see also Conley v. Crabtree*, 14 F. Supp. 2d 1203, 1204 (D. Or. 1998).

1 case is dismissed with prejudice.

2 (3) The Clerk of the Court shall enter judgment accordingly and close the file in this matter.

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4 DATED this 19<sup>th</sup> day of January, 2011.

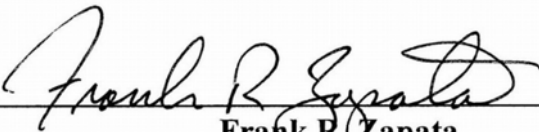
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Frank R. Zapata  
Senior United States District Judge

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