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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Anthony P. Vandersommen,

Petitioner,

vs.

Charles Ryan, et al.,

Respondents.

No. CV 10-345-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. §2254. A review of the record reflects that the parties have not filed any objections to the Report and Recommendation and the time to file objections has expired. As such, the Court will not consider any objections or new evidence.

The Court has reviewed the record and concludes that Magistrate Judge Ferraro's recommendations are not clearly erroneous. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72; *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999); *Conley v. Crabtree*, 14 F. Supp. 2d 1203, 1204 (D. Or. 1998).

Accordingly, IT IS HEREBY ORDERED as follows:

(1) Magistrate Judge Ferraro's Report and Recommendation (Doc. 23) is accepted and adopted.

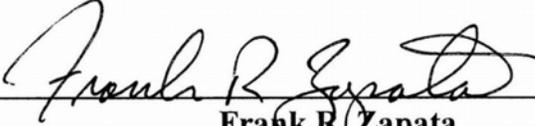
(2) Petitioner's §2254 habeas petition is denied and this case is dismissed with prejudice.

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

2 DATED this 5th day of July, 2011.

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Frank R. Zapata
Senior United States District Judge