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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Jonathan Jovan Ward,)	No. CV 10-743-TUC-JGZ (GEE)
Petitioner,)	ORDER
vs.)	
Craig Apker, Warden,)	
Respondent.)	

Pending before the Court is a Report and Recommendation issued by United States Magistrate Judge Glenda E. Edmonds that recommends dismissing the petition (Doc. 1) for failure to exhaust or, in the alternative, denying the petition on the merits. (Doc. 14.)

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 Edmonds' 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 Edmonds' Report and Recommendation (Doc. 14) is ACCEPTED and ADOPTED.

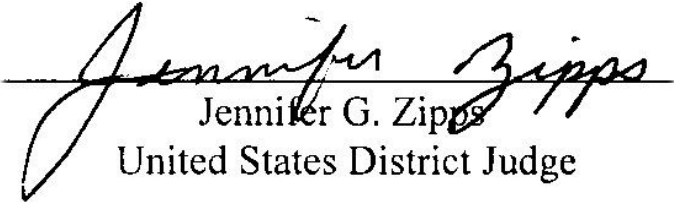
1 (2) Petitioner's §2241 habeas petition is denied and this case is dismissed with
2 prejudice.

3 (3) A Certificate of Appealability is denied and shall not issue.

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

6 DATED this 18th day of November, 2011.

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Jennifer G. Zipps
United States District Judge