

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

Robert Carrasco Gamez,  
Petitioner,  
v.  
Charles L Ryan, et al.,  
Respondents.

No. CV-12-00639-TUC-JGZ (JR)  
**ORDER**

On February 6, 2014, Magistrate Judge Jacqueline M. Rateau issued a Report and Recommendation (R&R) (doc. 39), recommending Petitioner’s Motion for Stay and Abeyance (doc. 18) and Motion to Expedite Ruling on Stay and Abeyance (doc. 34) regarding his petition under 28 U.S.C. § 2254 be denied. No objections have been filed within the time provided by Federal Rule of Civil Procedure 72(b)(2).<sup>1</sup>

Accordingly, after an independent review, IT IS HEREBY ORDERED that:

1. The Report and Recommendation (doc. 39) is ADOPTED.
2. Petitioner’s Motion for Stay and Abeyance (doc. 18) is DENIED AS MOOT.

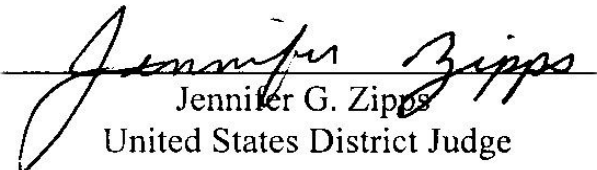
---

<sup>1</sup> Petitioner filed a “Motion for Objection and Recommendation,” referencing the R&R but citing to, and discussing at length, Court docket number 40, which is a different Magistrate Court Order, in which the Magistrate Judge denied his motions for expert funding, additional disclosure, and to strike Respondents’ Procedural Bar Defense. (Docs. 25, 26, 36, 40, and 42.) Because Petitioner’s objections fail to address the R&R, the Court finds that no objections were filed. The Court reviews for clear error the unobjected-to portions of the R&R. *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999). Having found no clear errors in the R&R, the Court will adopt it.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

- 3. Petitioner’s Motion to Expedite Ruling on his Motion to Stay (doc. 34) is DENIED AS MOOT.
- 4. This matter remains referred to the Honorable Jacqueline M. Rateau for all pre-trial matters, and all pleadings shall be filed under CV-12-00639-TUC-JGZ (JR).

Dated this 3rd day of March, 2014.

  
Jennifer G. Zipp  
United States District Judge