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

Ronnie Gene Sartin, Jr.,  
Petitioner,  
v.  
Charles L Ryan, et al.,  
Respondents.

No. CV-14-02276-TUC-RCC  
**ORDER**

Pending before the Court is Petitioner Ronnie Gene Sartin, Jr.’s pro se Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (Doc. 1), Magistrate Judge Jacqueline M. Rateau’s Report and Recommendation (“R & R”) (Doc. 18) and Petitioner’s objections to the R & R (Doc. 19). For the following reasons, this Court shall overrule Petitioner’s objections, accept and adopt the R & R and deny Sartin’s petition.

**Discussion**

The duties of the district court in connection with a R & R are set forth in Rule 72 of the Federal Rules of Civil Procedure and 28 U.S.C. § 636(b)(1). The district court may “accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions.” Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1).

Where the parties object to an R & R, “[a] judge of the [district] court shall make a de novo determination of those portions of the [R & R] to which objection is made.” 28 U.S.C. § 636(b)(1); *see Thomas v. Arn*, 474 U.S. 140, 149-50 (1985). When no objection

1 is filed, the district court need not review the R & R de novo. *Wang v. Masaitis*, 416 F.3d  
2 992, 1000 n. 13 (9th Cir.2005); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121-22  
3 (9th Cir. 2003) (en banc). The Court will not disturb a magistrate judge’s order unless his  
4 factual findings are clearly erroneous or his legal conclusions are contrary to law. 28  
5 U.S.C. § 636(b)(1)(A). “[T]he magistrate judge’s decision...is entitled to great deference  
6 by the district court.” *United States v. Abonce-Barrera*, 257 F.3d 959, 969 (9th Cir.  
7 2001). A failure to raise an objection waives all objections to the magistrate judge’s  
8 findings of fact. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998). A failure to object  
9 to a Magistrate Judge’s conclusion “is a factor to be weighed in considering the propriety  
10 of finding waiver of an issue on appeal.” *Id.* (internal citations omitted).

11 In his objections, Sartin primarily claims that he is entitled to equitable tolling  
12 because he has been “housed in a ‘transitory/isolation’ cell for the past 70 days.”  
13 However, even if Petitioner is correct, his petition remains untimely because his one-year  
14 limitations period expired on October 19, 2012 and he filed this petition on August 6,  
15 2014. Because Sartin’s petition remains untimely, this Court will accept and adopt the R  
16 & R and deny the petition.

17 Accordingly,

18 **IT IS HEREBY ORDERED** that Magistrate Judge Jacqueline M. Rateau’s  
19 Report and Recommendation is **accepted and adopted**.

20 **IT IS FURTHER ORDERED** that Petitioner Ronnie Gene Sartin, Jr.’s pro se  
21 Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 is **denied**.

22 **IT IS FURTHER ORDERED** that the Clerk of Court is directed to close the  
23 case.

24 Dated this 5th day of April, 2017.

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Raner C. Collins  
Chief United States District Judge