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

Miles Kaufman,

Petitioner,

v.

Charles Ryan, et al.,

Respondents.

No. CV-16-00293-TUC-JGZ

ORDER

Pending before the Court is a Report and Recommendation issued by United States Magistrate Judge D. Thomas Ferraro. (Doc 31.) Magistrate Judge Ferraro recommends dismissing Petitioner's § 2254 Petition for Writ of Habeas Corpus because it is untimely and, alternatively, because Petitioner's claims are procedurally defaulted without excuse and/or moot. (*Id.*) In addition, the Report concludes an evidentiary hearing is not necessary to evaluate Petitioner's claims.

No objections were filed within 14-days as required by Federal Rule of Civil Procedure 72(b)(2). The objection Petitioner filed on May 21, 2018 is untimely. (Doc. 32.) In addition, the objection fails to address the Magistrate Judge's conclusions that the claims are untimely, procedurally defaulted, and moot, and that an evidentiary hearing was unnecessary. (*See* Doc. 32.)

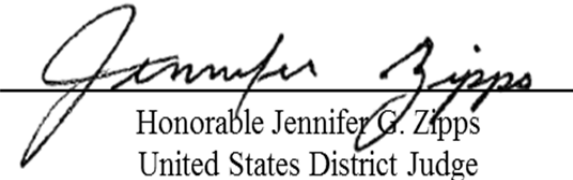
Upon review of the record, the Court will adopt Magistrate Judge Ferraro's recommendations. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72; *Thomas v. Arn*, 474 U.S. 140, 149–54 (1985). Accordingly,

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IT IS ORDERED that the Report and Recommendation (Doc. 31) is ADOPTED.

IT IS FURTHER ORDERED THAT Defendant's Petition for Writ of Habeas Corpus (Doc. 1) is DISMISSED.

Dated this 15th day of June, 2018.


Honorable Jennifer G. Zipp
United States District Judge