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

Rafael Key,  
Petitioner,  
v.  
Charles Ryan, et al.,  
Respondents.

No. CV-16-00500-TUC-RCC  
**ORDER**

Pending before the Court is Petitioner Rafael Key’s *pro se* Petition Under 28 U.S.C. § 2254 for a Writ of Habeas Corpus by A Person in State Custody (Doc. 1) and Magistrate Judge Bowman’s Report and Recommendation (“R&R”) (Doc. 19). For the following reasons, the Court shall accept and adopt Magistrate Bowman’s R&R and deny Key’s petition.

**Background**

The factual and procedural background in this case is thoroughly detailed in Magistrate Judge Bowman’s R&R. This Court fully incorporates by reference the Factual and Procedural Background sections of the R&R into this Order.

**Discussion**

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 is filed, the district court need not review the R&R de novo. *Wang v. Masaitis*, 416 F.3d

1 992, 1000 n. 13 (9th Cir.2005); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121-22  
2 (9th Cir. 2003) (en banc). The Court will not disturb a magistrate judge’s order unless his  
3 factual findings are clearly erroneous or his legal conclusions are contrary to law. 28  
4 U.S.C. § 636(b)(1)(A). “[T]he magistrate judge’s decision . . . is entitled to great  
5 deference by the district court.” *United States v. Abonce-Barrera*, 257 F.3d 959, 969 (9th  
6 Cir. 2001).

7 Here, no objections were filed. After reviewing the R&R, the Court finds that the  
8 R&R neither contains factual findings that are clearly erroneous nor legal conclusions  
9 that are contrary to law. Thus, this Court will accept and adopt the R&R.

10 Accordingly,

11 **IT IS HEREBY ORDERED** that the Court accepts and adopts Magistrate Judge  
12 Bowman’s R&R. Doc. 19.

13 **IT IS FURTHER ORDERED** that Petitioner Key’s petition is **denied**. Doc. 1.

14 Dated this 9th day of March, 2017.

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20 Raner C. Collins  
21 Chief United States District Judge  
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