

1 *Thomas v. Arn*, 474 U.S. 140, 149-50 (1985) (quoting 28 U.S.C. § 636(b)(1)). When no
2 objections are filed, the district court does not need to review the R&R de novo. *Wang v.*
3 *Masaitis*, 416 F.3d 992, 1000 n. 13 (9th Cir.2005); *United States v. Reyna-Tapia*, 328 F.3d
4 1114, 1121-22 (9th Cir.2003) (en banc).

5 The parties were sent copies of the R&R and instructed they had 14 days to file
6 written objections. 28 U.S.C. § 636(b), *see also*, Federal Rule of Criminal Procedure 72
7 (party objecting to the recommended disposition has fourteen (14) days to file specific,
8 written objections). To date, no objections have been filed.

9 While there are no objections and review has, therefore, been waived, the Court
10 nevertheless reviews at a minimum, de novo, the Magistrate Judge's conclusions of law.
11 *Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (citing *Turner v. Duncan*, 158 F.3d
12 449, 455 (9th Cir. 1998) (conclusions of law by a magistrate judge reviewed de novo);
13 *Martinez v. Ylst*, 951 F.2d 1153, 1156 (9th Cir. 1991) (failure to object standing alone will
14 not ordinarily waive question of law, but is a factor in considering the propriety of finding
15 waiver)). The Court finds the R&R to be thorough and well-reasoned, without any clear
16 error in law or fact. *See United States v. Remsing*, 874 F.2d 614, 617-618 (9th Cir. 1989).
17 The Court accepts and adopts the R&R as the opinion of the Court, pursuant to 28 U.S.C.
18 § 636(b)(1). For the reasons stated in the R&R, the Court dismisses the Petition.

19 **Accordingly,**

20 **IT IS ORDERED** that the Report and Recommendation (Doc. 18) is adopted as the
21 opinion of the Court.

22 **IT IS FURTHER ORDERED** dismissing the Petition (Doc. 1).


23 **IT IS FURTHER ORDERED** that the Clerk of the Court shall enter Judgment
24 accordingly.

25 **IT IS FURTHER ORDERED** that in the event the Plaintiff, proceeding here in
26 forma pauperis under 28 U.S.C. § 2241, files an appeal, the Court finds the appeal is not
27 taken in good faith because an appeal would be frivolous as there is no substantial argument
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to be made contrary to this Court’s determination recorded here. 28 U.S.C. 1915(a)(3) and FRAP 24(a); *Cruz v. Hauck*, 404 U.S. 59, 62 (1971).

Dated this 24th day of February, 2020.



Honorable David C. Bury
United States District Judge