

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**

Alfred Salazar,

 Petitioner,

v.

Barbara von Blanckensee,

 Respondent.

No. CV-20-00352-TUC-SHR

**Order Adopting Report &
Recommendation**

On September 30, 2022, Magistrate Judge Jacqueline Rateau issued a Report and Recommendation (“R&R”) in which she recommended the Court deny the Petition. (Doc. 17 at 16.) The R&R notified the parties they had fourteen (14) days from the date of the R&R to file any objections. (*Id.*) No objections have been filed.

If neither party objects to a magistrate judge’s report and recommendation, the District Court is not required to review the magistrate judge’s decision under any specified standard of review. *Thomas v. Arn*, 474 U.S. 140, 150 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (district court only needs to review magistrate judge’s findings and recommendations *de novo* if objection is made). However, the statute for review of a magistrate judge’s recommendation “does not preclude further review by the district judge, *sua sponte* or at the request of a party, under a *de novo* or any other standard.” *Thomas*, 474 U.S. at 154.

In this case, the deadline for filing objections was October 14, 2022. As noted, no objections have been filed, and neither party has requested additional time to do so.

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

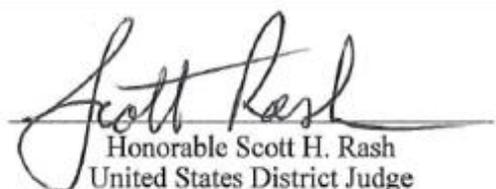
Therefore, the Court may adopt the R&R on that basis alone. *See Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003) (district court declined to review the magistrate judge’s report because no objections were filed). Nonetheless, the Court finds the R&R well-reasoned and agrees with Judge Rateau’s conclusions. Accordingly,

IT IS ORDERED Magistrate Judge Rateau's Report and Recommendation (Doc. 17) is **ADOPTED**.

IT IS FURTHER ORDERED the Petition (Doc. 1) is **DENIED**.

IT IS FURTHER ORDERED the Clerk of Court shall enter judgment accordingly and close the file in this case.

Dated this 18th day of November, 2022.



Honorable Scott H. Rash
United States District Judge