

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

Ronald Michael Capito,  
Petitioner,  
v.  
A. Dulgov,  
Respondent

No. CV-22-00374-TUC-RCC

## ORDER

A. Dulgov,  
Respondent.

On October 12, 2023, Magistrate Judge Eric J. Markovich issued a Report and Recommendation ("R&R") in which he recommended the Court deny Petitioner Ronald Michael Capito's Petition Pursuant to 28 U.S.C. § 2241 for a Writ of Habeas Corpus by a Person in Federal Custody. (Doc. 15.) The R&R notified the parties that they had fourteen (14) days from the date of the R&R to file any objections. No objections have been filed.

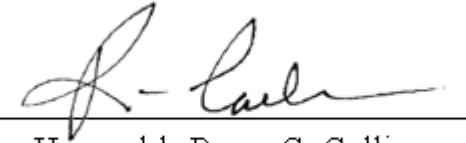
If neither party objects to a magistrate judge's report and recommendation, the District Court is not required to review the magistrate judge's decision under any specified standard of review. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). However, the statute for review of a magistrate judge's recommendation "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." *Id.* at 154.

The Court has reviewed and considered the Petition (Doc. 1), the Government's Response (Doc. 10), Petitioner's Reply (Doc. 11), and Judge Markovich's R&R (Doc.

1 15). The Court finds that the R&R is well-reasoned and agrees with Judge Markovich's  
2 conclusions. Accordingly,

3 **IT IS ORDERED** that the R&R is **ADOPTED** (Doc. 15) and Petitioner Ronald  
4 Michael Capito's Petition Pursuant to 28 U.S.C. § 2241 for a Writ of Habeas Corpus by a  
5 Person in Federal Custody is **DISMISSED WITH PREJUDICE** (Doc. 1). The Clerk of  
6 Court shall docket accordingly and close the case file in this matter.

7 Dated this 30th day of October, 2023.

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11 Honorable Raner C. Collins  
12 Senior United States District Judge

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