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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

BOBBY BEJARANO,

vs.

KIM HOLLAND, Warden,

Petitioner,

Respondent.

CASE NO. 14cv947-LAB (JMA)
**ORDER ADOPTING REPORT AND
RECOMMENDATION; AND
ORDER DENYING PETITION FOR
WRIT OF HABEAS CORPUS**

Petitioner Bobby Bejarano filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. This matter was referred to Magistrate Judge Jan Adler for report and recommendation, as provided by 28 U.S.C. § 636 and Fed. R. Civ. P. 72. On July 16, Judge Adler issued his report and recommendation (the "R&R"), recommending that the petition be denied. Objections to the R&R were due July 31, 2015 but none have been received or filed.

A district court has jurisdiction to review a Magistrate Judge's report and recommendation on dispositive matters. Fed. R. Civ. P. 72(b). "The district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to." Rule 72(b)(3). "A judge of the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). This section does not require some lesser review by the district court when no objections are filed. *Thomas v. Arn*, 474 U.S. 140, 149–50 (1985). The statute makes it

1 clear that the district judge must review the magistrate judge's findings and recommendations
2 de novo *if objection is made*, but not otherwise. *United States. v. Reyna-Tapia*, 328 F.3d
3 1114, 1121 (9th Cir. 2003) (en banc).

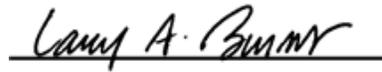
4 Although de novo review is not required, the Court has reviewed the R&R and finds
5 it both reasonable and correct. The Court **ADOPTS** the R&R, and the petition is **DENIED**.

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7 **IT IS SO ORDERED.**

8 DATED: August 11, 2015

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HONORABLE LARRY ALAN BURNS
United States District Judge

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