UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

GUILLERMO PENA	)	CASE NO.: 5:07CV2741
	)	
Petitioner,	)	JUDGE JOHN ADAMS
	)	
v.	)	
	)	
CARL ANDERSON, Warden,	)	MEMORANDUM OF OPINION
	)	AND ORDER RE: DISMISSING
Respondent.	)	PETITIONER'S APPLICATION
	)	FOR WRIT OF HABEAS CORPUS

Guillermo Pena filed a Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C.

§ 2254, alleging four grounds for relief which challenge the constitutional sufficiency of

his conviction and sentence for two counts of aggravated burglary and two accompanying

three-year firearm specifications.

On November 6, 2007, the case was referred to Magistrate Judge Nancy

Vecchiarelli for preparation of a report and recommendation pursuant to 28 U.S.C. § 636

and Local Rule 72.2(b)(2). *See* Order (Doc. 4). On June 16, 2008, the Magistrate Judge

submitted a Report and Recommendation (Doc. 25) recommending that the petition be

denied.

Fed. R. Civ. P. 72(b) provides that objections to a report and recommendation

must be filed within ten (10) days after service, but neither party has filed any such

objections. Therefore, the Court must assume that the parties are satisfied with the

Magistrate Judge's recommendation. Any further review by this Court would be a

duplicative and inefficient use of the Court's limited resources. *Thomas v. Arn*, 728 F.2d

813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).

Accordingly, the Report and Recommendation of the Magistrate Judge is hereby adopted. Guillermo Pena's Petition for a Writ of Habeas Corpus will be dismissed.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b).

IT IS SO ORDERED.

__August 19, 2008_____   __*s/ John R. Adams*_____
Date   John R. Adams
                                                                    U.S. District Judge