

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Arthur Antonio Ochoa v. Ryan Thornell, et al.

Ochoa v. Thornell · No. CV-25-01975-PHX-ROS (DMF) · Decided December 8, 2025

SUMMARY

The United States District Court for the District of Arizona adopted a magistrate judge’s recommendation to grant Petitioner Arthur Antonio Ochoa’s motion to stay and abey his federal habeas petition. The action was stayed pending completion of his state post-conviction proceedings, and Respondents were ordered to provide periodic status reports.

CASE DETAILS

COURT	United States District Court for the District of Arizona
JURISDICTION	United States District Court for the District of Arizona
DECIDED	December 8, 2025
DOCKET	CV-25-01975-PHX-ROS (DMF)
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner sought federal habeas corpus relief and moved to stay and hold his petition in abeyance pending resolution of ongoing state post-conviction relief proceedings.
PRECEDENTIAL VALUE	Unknown
PARTIES	Arthur Antonio Ochoa v. Ryan Thornell, et al.

TOPICS

- federal habeas corpus
- state post-conviction relief
- post-conviction relief
- civil procedure

PRACTICE AREAS

- Federal habeas corpus
- State post-conviction relief

QUESTIONS PRESENTED

- Whether the federal habeas action should be stayed and the petition held in abeyance pending conclusion of the petitioner's state post-conviction relief proceedings.

HOLDINGS

1. The action should be stayed and the federal habeas petition held in abeyance until the conclusion of the petitioner's state post-conviction relief proceedings.

KEY QUOTATIONS

“this action is STAYED and the petition (Doc. 1) will be held in abeyance until the conclusion of Petitioner’s post-conviction relief proceedings in the state courts.” (at 2)

FACTUAL BACKGROUND

Arthur Antonio Ochoa had a federal habeas petition pending while his state post-conviction relief proceeding remained unresolved. He requested that the federal action be stayed and the petition held in abeyance until the state proceedings concluded. The State did not object to the requested stay.

PROCEDURAL HISTORY

Ochoa filed a federal habeas petition on June 6, 2025, and moved for a stay and abeyance on July 8, 2025. The State did not object. Magistrate Judge Deborah M. Fine recommended granting the motion under *Rhines v. Weber*, and the district court adopted the recommendation in full, stayed the action, and held the petition in abeyance.

DISPOSITION

other

CASES CITED

- *Rhines v. Weber*, 544 U.S. 269 (2005)

OPINION

1 2 3 4 5 6 IN THE UNITED STATES DISTRICT COURT 7 FOR THE DISTRICT OF ARIZONA 8 9 Arthur Antonio Ochoa, No. CV-25-01975-PHX-ROS (DMF) 10 Petitioner, ORDER 11 v. 12 Ryan Thornell, et al., 13 Respondents. 14 15 Petitioner Arthur Ochoa filed a petition for Writ of Habeas Corpus on June 6, 2025. 16 (Doc. 1).

On July 8, 2025, Petitioner filed a “Motion to Stay and Abeyance with Brief” 17 requesting a stay of the habeas claims pending resolution of his current post-conviction 18 relief proceeding. (Doc. 10). The State filed a response stating that it does not object to the 19 Motion. (Doc. 16), and Magistrate Judge Deborah M. Fine issued a Report and 20 Recommendation (“R&R”) recommending the Motion be granted pursuant to *Rhines v. Weber*, 544 U.S. 269 (2005).

(Doc. 17). Accordingly, the R&R will be adopted in full. 22 IT IS ORDERED the Report and Recommendation (Doc. 10) is ADOPTED IN 23 FULL. 24 IT IS FURTHER ORDERED this action is STAYED and the petition (Doc. 1) 25 will be held in abeyance until the conclusion of Petitioner’s post-conviction relief 26 proceedings in the state courts. 27 ... 28 ... 1 IT IS

FURTHER ORDERED Respondents shall file a report informing the Court of the status of the state court post-conviction relief proceedings no later than 30 days after 3|| the date of this order, which is January 8, 2026, every 90 days thereafter, and upon conclusion of Petitioner's post-conviction relief proceedings in the state courts.

5 Dated this 8th day of December, 2025. 6 fo □ 7 (—. 9 Senior United States District Judge 10 11
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