

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.

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. 21 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 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 _2-