

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Sarkis Shaltapour v. John Cantu, et al.

Shaltapour · No. CV-25-03995-PHX-DWL · Decided December 24, 2025

SUMMARY

The United States District Court for the District of Arizona adopted a magistrate judge’s Report and Recommendation in a 28 U.S.C. § 2241 action challenging immigration detention. The court granted the petition, ordered the respondents to release the petitioner immediately and file a notice of compliance, and directed the Clerk to enter judgment and terminate the action.

OPINION

1 2 3 4 5 6 IN THE UNITED STATES DISTRICT COURT 7 FOR THE DISTRICT OF
ARIZONA 8 9 Sarkis Shaltapour, No. CV-25-03995-PHX-DWL 10 Petitioner, ORDER 11 v. 12
John Cantu, et al., 13 Respondents. 14 15 Petitioner filed this action under 28 U.S.C. § 2241
challenging his immigration 16 detention. (Doc. 1.)

On December 18, 2023, Magistrate Judge Bibles issued a Report and 17 Recommendation
 (“R&R”) recommending “that the petition... be granted, and that 18 Respondents be ordered to
 release [Petitioner] immediately, and that Respondents be 19 required to docket a notice of
 compliance with any order issued by the Court.” (Doc. 15 20 at 7.)

The R&R further provided that “any objections to the [R&R] be filed no later than 21 December
 23, 2025.” (Id.) That deadline has expired and no objections have been filed, 22 presumably
 because Respondents conceded in their response to the petition that they “do 23 not oppose
 Petitioner’s request for release at this time.” (Doc. 13.) 24 The Court thus adopts the R&R.

See, e.g., *Thomas v. Arn*, 474 U.S. 140, 149-50 25 (1985) (“It does not appear that Congress
 intended to require district court review of a 26 magistrate’s factual or legal conclusions, under a
 de novo or any other standard, when 27 neither party objects to those findings.”); *Schmidt v.*
 Johnstone, 263 F. Supp. 2d 1219, 1226 28 (D. Ariz. 2003) (“[N]o review is required of a
 magistrate judge’s report and 1 } recommendation unless objections are filed.”).

See also *United States v. Reyna-Tapia*, 328 2|| F.3d 1114, 1121 (9th Cir. 2003) (“[T]he district
 judge must review the magistrate judge’s 3|| findings and recommendations de novo if objection is
 made, but not otherwise.”). 4 Accordingly, 5 IT IS ORDERED that: 6 1.

The R&R’s recommended disposition (Doc. 15) is accepted. 7 2. The petition (Doc. 1) is granted.
 8 3. Respondents shall release Petitioner immediately and then file a notice of 9 compliance on the
 docket. 10 4. The Clerk shall enter judgment accordingly and terminate this action. 11 Dated this

24th day of December, 2025. 12 4 "Dominic W. Lanza 15 United States District Judge 16 17 18 19
20 21 22 23 24 25 26 27 28 -2-

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