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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

DWAYNE A. WOODS,

Petitioner,

NO. 2:05-cv-00319-LRS

DEATH PENALTY CASE

v.

ORDER GRANTING JOINT
MOTION TO DISMISS
PETITION

DONALD R. HOLBROOK,

Respondent.

The Court, having considered the Joint Motion to Dismiss Petition (ECF No. 255) as moot, and the remaining files herein, does hereby find and ORDER: the Joint Motion to Dismiss Petition (ECF No. 255) is **GRANTED**. The Petition is DISMISSED as moot due to the death of the Petitioner. The Clerk shall CLOSE THE FILE.

DATED this 13th day of January, 2017.

s/Lonny R. Suko

LONNY R. SUKO
SENIOR U.S. DISTRICT COURT JUDGE