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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF WASHINGTON  
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8 JAMES VINCENT ADAMS,

9 Plaintiff,

10 v.

11 DON HOLBROOK

12 Defendants.

NO. 2:15-cv-00099-SAB

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

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14 Before the Court is Magistrate Judge James P. Hutton's November 17, 2015  
15 Report and Recommendation, ECF No. 19, recommending that Petitioner's  
16 Motion to Withdraw Petition of Habeas Corpus and Dismiss Habeas Corpus  
17 Petition Without Prejudice, ECF No. 18, be granted. No objections have been  
18 filed.

19 After reviewing the Report and Recommendation and relevant authorities,  
20 the Court finds the Magistrate Judge's findings are correct. Therefore, the Court  
21 adopts the Report and Recommendation in its entirety and grants Motion to  
22 Withdraw Petition of Habeas Corpus and Dismiss Habeas Corpus Petition Without  
23 Prejudice.

24 Accordingly, **IT IS HEREBY ORDERED:**

- 25 1. The Report and Recommendation, ECF No. 19, is **ADOPTED** in its  
26 entirety.  
27 2. Petitioner's Motion to Withdraw Petition of Habeas Corpus and Dismiss  
28 Habeas Corpus Petition Without Prejudice, ECF No. 18, is **GRANTED**.

ORDER ADOPTING REPORT AND RECOMMENDATION # 1

1 3. The Petition for Writ of Habeas Corpus, ECF No. 1, is **dismissed without**  
2 **prejudice.**

3 **IT IS SO ORDERED.** The District Court Executive is hereby directed to  
4 file this Order and provide copies to Petitioner, and to Magistrate Judge James P.  
5 Hutton, and **close the file.**

6 **DATED** this 10<sup>th</sup> day of December 2015.



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A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is written in a cursive style and is positioned above a horizontal line.

12 Stanley A. Bastian  
13 United States District Judge  
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