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OCT 30 2006


05 UNITED STATES DISTRICT COURT
 06 WESTERN DISTRICT OF WASHINGTON
 AT SEATTLE

07 GARY M. THOMAS,) CASE NO. C06-0153-MJP
 08)
 08 Petitioner,)
 09)
 09 v.) ORDER DENYING PETITIONER'S
) HABEAS PETITION WITH
 10 KEN QUINN,) PREJUDICE
 11)
 11 Respondent.)
 12)

13 The Court, having reviewed petitioner's petition for writ of habeas corpus, respondent's
 14 answer thereto, the Report and Recommendation of Mary Alice Theiler, United States Magistrate
 15 Judge, and the remaining record, does hereby find and Order:

- 16 (1) The Court adopts the Report and Recommendation;
- 17 (2) Petitioner's habeas petition and this action are DISMISSED, with prejudice; and,
- 18 (3) The Clerk is directed to send copies of this Order to petitioner, to counsel for
 19 respondent, and to Judge Theiler.

20 DATED this 30 day of October, 2006.

21 
 22 MARSHA J. PECHMAN
 United States District Judge

ORDER DENYING PETITIONER'S
 HABEAS PETITION WITH PREJUDICE
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