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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ANTHONY E. LEWIS,	)	CASE NO.: C08-1239-RSL
	)	
Petitioner,	)	
	)	
v.	)	ORDER DISMISSING
	)	§ 2254 PETITION
JEFFREY UTTECHT,	)	
	)	
Respondent.	)	
_____	)	

The Court, having reviewed petitioner’s petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, respondent’s motion to dismiss, petitioner’s response, the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, any objections thereto, and the balance of the record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Respondent’s motion to dismiss (Dkt. No. 9) is GRANTED;
- (3) Petitioner’s petition for a writ of habeas corpus (Dkt. No. 4), and this action, are DISMISSED with prejudice; and
- (4) The Clerk is directed to send a copy of this Order to petitioner, to counsel for

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respondent, and to Judge Theiler.

DATED this 3<sup>rd</sup> day of February, 2009.

  
ROBERT S. LASNIK  
Chief United States District Judge