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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DALE LESLIE SCHWAB, Jr.,)	
)	
Petitioner,)	Case No. C09-783-MJP
v.)	
)	
STEPHEN SINCLAIR,)	ORDER OF DISMISSAL
)	
Respondent.)	
)	
)	

The Court, having reviewed petitioner’s 28 U.S.C. § 2254 petition for writ of habeas corpus, his amended petition, and his objections to the Report and Recommendation (Dkt. Nos. 6, 8, 17), the Report and Recommendation of United States Magistrate Judge Brian A. Tsuchida, the governing law, and the balance of the record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner’s petition for writ of habeas corpus and amended petition (Dkts. 6, 8) are DISMISSED with prejudice;
- (3) The Clerk of Court is directed to send copies of this Order to petitioner and to Magistrate Judge Brian A. Tsuchida.

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1 DATED this 23rd day of November, 2009.

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4 Marsha J. Pechman
5 United States District Judge
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