

01
02
03
04
05
06
07
08
09
10
11
12
13
14
15
16
17
18
19
20
21
22

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAMES JEREMY BRISCOE,)	
)	CASE NO. C09-1847-RSL
Petitioner,)	(CR07-218-RSL)
)	
v.)	
)	ORDER OF DISMISSAL
UNITED STATES OF AMERICA,)	
)	
Respondent.)	
_____)	

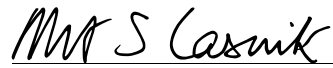
The Court, after careful consideration of petitioner’s 28 U.S.C. § 2255 motion for writ of habeas corpus, the government’s response, supplemental briefing on the question of equitable tolling, the Report and Recommendation of the Honorable Mary Alice Theiler, the governing authorities and the balance of the record, does hereby find and ORDER:

- (1) The Report and Report is ADOPTED;
- (2) Petitioner’s § 2255 motion is DENIED as time-barred and this case is DISMISSED with prejudice;
- (3) Petitioner is DENIED issuance of a certificate of appealability; and
- (4) The Clerk is directed to send copies of this Order to the parties and to Judge

01
02
03
04
05
06
07
08
09
10
11
12
13
14
15
16
17
18
19
20
21
22

Theiler.

DATED this 1st day of December, 2010.


Robert S. Lasnik
United States District Judge