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JUN -7 2010
AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON DEPUTY
BY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARK ALAN CRABTREE,)
)
Petitioner,) CASE NO. C10-0490-JLR
)
v.)
) ORDER DISMISSING § 2254
STATE OF WASHINGTON,) PETITION
)
Respondent.)
_____)

The Court, having reviewed petitioner's petition for writ of habeas corpus, the Report and Recommendation of Mary Alice Theiler, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's federal habeas petition, and this action, are DISMISSED for lack of jurisdiction.

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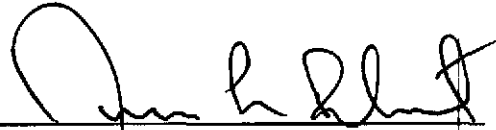


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(3) The Clerk shall direct copies of this Order to petitioner and to Judge Theiler.

DATED this 7th day of June, 2010.



JAMES L. ROBART
United States District Judge