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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MICHAEL J. FJERSTAD,	)	
	)	CASE NO. C10-567-RSM
Petitioner,	)	(CR07-277-RSM)
	)	
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, 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 Recommendation is ADOPTED;
- (2) Petitioner’s § 2255 motion is DENIED and this case is DISMISSED with prejudice;
- (3) Petitioner is DENIED issuance of a certificate of appealability; and

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(4) The Clerk is directed to send copies of this Order to all counsel of record and to Judge Theiler.

DATED this 17<sup>th</sup> day of March 2011.



RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE