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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JAMES J. LEWIS,

Petitioner,

Case No. C11-671-RSM

v.

**ORDER OF DISMISSAL**

STEVE SINCLAIR,

Respondent.

The Court, having reviewed petitioner’s 28 U.S.C. § 2254 petition for writ of habeas corpus, respondent’s answer, petitioner’s response, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, any objections or responses to that, and the remaining record, finds and orders as follows:

- 1. Petitioner’s motion to amend his objections (Dkt. #35) is **GRANTED**;
- 2. The Report and Recommendation is **ADOPTED**;
- 3. Petitioner’s § 2254 habeas petition is **DENIED** and this matter is **DISMISSED** with prejudice;
- 4. Petitioner is **DENIED** issuance of a certificate of appealability; and
- 5. The Clerk shall send a copy of this Order to the parties and to Judge Tsuchida.

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DATED this 3<sup>rd</sup> day of November 2011.



RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE