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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

9 TRACY NIXON,

10 Plaintiff,

11 v.

12 THE UNITED STATES OF AMERICA,

13 Defendant.

NO. C11-1022-JCC

ORDER OF DISMISSAL

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15 This matter comes before the Court on the report and recommendation of the
16 Honorable James P. Donohue (Dkt. No. 2.), Plaintiff's objections (Dkt. No. 4), and Plaintiffs'
17 motions to intervene, consolidate and expedite. (Dkt. Nos. 3, 5, 8.) Plaintiff's complaint alleges
18 that the Clerk of the United States Supreme Court violated his constitutional rights by denying
19 Plaintiff's two petitions for writ of certiorari to the United States Supreme Court. (Dkt. No. 1.)
20 In his report and recommendation, Judge Donohue notes that Plaintiff has provided no basis
21 for jurisdiction in this court. (Dkt. No. 2 at 3.) In his objections, Plaintiff argues that this Court
22 has jurisdiction because the events occurred in Washington, DC. (Dkt. No. 4 at ¶ 12.) Plaintiff
23 is hereby REMINDED that Washington State is located some 2,500 miles from Washington,
24 DC and although they share a similar name, are otherwise quite distinct. This and numerous
25 other errors of fact and law indicate that Judge Donohue was correct to dismiss plaintiff's
26

1 complaint. Taking the governing law, and the balance of the record, the Court hereby

2 ORDERS as follows:

- 3 (1) The Report and Recommendation is ADOPTED and APPROVED; (Dkt. No.
4 2.)
- 5 (2) This action is DISMISSED without prejudice for failure to state a claim upon
6 which relief may be granted;
- 7 (3) Plaintiff's application to proceed *in forma pauperis* ("IFP"), as well as all
8 remaining motions, (Dkt. Nos. 1, 3, 5, 8), are DENIED as moot; and
- 9 (4) The Clerk of the Court is directed to send copies of this Order to plaintiff and to
10 the Honorable James P. Donohue.

11 DATED this 22nd day of September, 2011.

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15 JOHN C. COUGHENOUR
16 United States District Judge