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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JERRY BUNNAO RACCA,)	
)	
Petitioner,)	CASE NO. C11-1235-RSM
)	(CR06-106-RSM)
v.)	
)	
UNITED STATES OF AMERICA,)	ORDER DENYING MOTION UNDER
)	28 U.S.C. § 2255
Respondent.)	
_____)	

The Court, having reviewed petitioner’s motion under 28 U.S.C. § 2255, the briefing of the parties, 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 motion under § 2255 (Dkt. No. 1) is DENIED and this action is DISMISSED with prejudice;
- (3) In accordance with Rule 11 of the Rules Governing Section 2255 Proceedings for the United States District Courts, a certificate of appealability is GRANTED; and

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01 (4) The Clerk shall send copies of this Order to petitioner, to counsel for the
02 government, and to Judge Theiler.

03 DATED this 16 day of April 2012.

05 

06 RICARDO S. MARTINEZ
07 UNITED STATES DISTRICT JUDGE

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