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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 BERTRAN CALCOTE,)
09)
Petitioner,) CASE NO. C13-0614-RAJ
10)
v.)
11) ORDER DENYING PETITION FOR
ROBERT HERZOG,) WRIT OF HABEAS CORPUS
12)
Respondent.)
_____)

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14 The Court, having reviewed petitioner's federal habeas petition, respondent's answer to
15 the petition, the Report and Recommendation of Mary Alice Theiler, United States Magistrate
16 Judge, and the remaining record, does hereby find and ORDER:

- 17 (1) The Court adopts the Report and Recommendation;
18 (2) Petitioner's federal habeas petition (Dkt. No. 1) is DENIED and this action is
19 DISMISSED with prejudice;
20 (3) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the
21 United States District Courts, a certificate of appealability is denied with respect to all claims
22 asserted by petitioner in his federal habeas petition; and

01 (4) The Clerk shall send copies of this Order to all counsel of record, and to Judge
02 Theiler.

03 DATED this 24th day of December, 2013.
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07 The Honorable Richard A. Jones
08 United States District Judge
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