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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RONNELL MACABURAS TACATA,

Petitioner,

v.

JOHN LOVICK, et. al.,

Respondents.

Case No. C13-656-RSL

ORDER OF DISMISSAL

The Court, having reviewed petitioner’s 28 U.S.C. § 2254 petition for writ of habeas corpus, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, and the record, does hereby find and **ORDER:**

1. The Report and Recommendation is **ADOPTED**;
2. Petitioner’s § 2254 habeas petition is **DENIED** and this matter is **DISMISSED** without prejudice;
3. Petitioner is **DENIED** issuance of a certificate of appealability; and
4. The Clerk shall send a copy of this Order to the parties and to Judge Tsuchida.

DATED this 21st day of May, 2013.



Robert S. Lasnik
United States District Judge