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13-CV-01047-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SAROEUN PHAI,

Petitioner,

Case No. 2:13-CV-01047-JLR-BAT

v.

**ORDER DENYING AND
DISMISSING HABEAS PETITION
AND DENYING ISSUANCE OF A
CERTIFICATE OF
APPEALABILITY**

MIKE OBENLAND,

Respondent.

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

- (1) The Report and Recommendation is **ADOPTED**.
- (2) Petitioner's § 2254 habeas petition (Dkt. 16) is **DENIED** on the merits and this matter is **DISMISSED** with prejudice.
- (3) Petitioner is **DENIED** issuance of a certificate of appealability.
- (4) The Clerk shall send copies of this Order to petitioner and to Judge Tsuchida.

DATED this 18th day of Feb., 2014.

JAMES L. ROBERT
United States District Judge

ORDER DENYING AND DISMISSING
HABEAS PETITION AND DENYING
ISSUANCE OF A CERTIFICATE OF
APPEALABILITY- 1