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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 JAMES STEVEN PAULEY,

9 Petitioner,

10 v.

11 STEVEN SINCLAIR,

12 Respondent.

Case No. C14-1536 RSL-BAT

**ORDER TRANSFERRING CASE
TO NINTH CIRCUIT**

13 The Court, having reviewed Petitioner's 28 U.S.C. § 2254 habeas petition, the Report and
14 Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, any
15 objections or responses to that, and the remaining record, finds and Orders as follows:

- 16 (1) The Court adopts the Report and Recommendation.
17 (2) Petitioner's motion for leave to proceed in forma pauperis (Dkt. 7) is **DENIED**.
18 (3) Petitioner's 28 U.S.C. § 2254 petition is **TRANSFERRED TO THE NINTH**

CIRCUIT AS A SECOND OR SUCCESSIVE PETITION.

19 (4) The Clerk is directed to send copies of this Order to Petitioner and to the Hon.
20 Brian A. Tsuchida **AND TO ADMINISTRATIVELY CLOSE THIS FILE.**

21 DATED this 18th day of November, 2014.

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23 Robert S. Lasnik
United States District Judge