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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DARIN GATSON,

Petitioner,

Case No. C16-524-RAJ

v.

ORDER DISMISSING FEDERAL
HABEAS ACTION

STATE OF WASHINGTON,

Respondent.

The Court, having reviewed petitioner’s petition for writ of habeas corpus, the Report and Recommendation of James P. Donohue, Chief United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Petitioner’s petition for writ of habeas corpus (Dkt. 1-1) and this action are DISMISSED without prejudice.
- (3) Petitioner's application to proceed with this action *in forma pauperis* (Dkt. 1) is

STRICKEN as moot.

ORDER DISMISSING FEDERAL
HABEAS ACTION - 1

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(4) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the United States District Courts, a certificate of appealability is DENIED.

(5) The Clerk is directed to send copies of this Order to petitioner and to the Honorable James P. Donohue.

DATED this 18th day of May, 2016.



The Honorable Richard A. Jones
United States District Judge