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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

Ivory Berube,

Petitioner,

v.

Jeffrey Uttecht,

Respondent.

CASE NO. C17-288 RSM

ORDER OF DISMISSAL

The Court, having reviewed Petitioner’s 28 U.S.C. § 2254 habeas petition, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, any objections and responses if filed, and the remaining record, finds and **ORDERS** as follows:

- (1) The Court **ADOPTS** the Report and Recommendation;
- (2) Petitioner’s federal habeas petition (Dkt. #6) is **DISMISSED** with prejudice pursuant to 28 U.S.C. § 2244(d)(1);
- (3) Petitioner is **DENIED** issuance of a certificate of appealability;
- (4) The Clerk is directed to send copies of this Order to the parties and to Judge Tsuchida.

DATED this 4th day of May 2018.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE