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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HECTOR SERANO SALINAS,

Petitioner,

v.

DONALD HOLBROOK,

Respondent.

Case No. C18-249-RSM

ORDER DENYING PETITION FOR WRIT
OF HABEAS CORPUS

The Court has reviewed Petitioner’s petition for writ of habeas corpus, Respondent’s answer to the petition, the Report and Recommendation of James P. Donohue, United States Magistrate Judge, Petitioner’s Objections, and the remaining record. The Court agrees with Respondent that Petitioner did not challenge the Washington State Supreme Court’s application of the “invited error” rule in his petition, and thus raises this issue for the first time in his Objections. *See* Dkt. #24 at 3. In any event, the Court finds that the Washington Supreme Court was correct to conclude that any public-trial violation in Petitioner’s case was an invited error because of his counsel’s active participation in the in-chambers voir dire procedure, as discussed by Respondent. *See id.* at 4 (citing *Weaver v. Massachusetts*, 137 S. Ct. 1899 (2017)). The

ORDER DENYING PETITION FOR
WRIT OF HABEAS CORPUS - 1

1 Court otherwise finds no error in Judge Donohue's R&R. Accordingly, the Court hereby finds
2 and ORDERS:

3 (1) The Report and Recommendation is adopted.

4 (2) Petitioner's petition for writ of habeas corpus (Dkt. 4) is DENIED, and the
5 petition and this action are DISMISSED with prejudice.

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

8 (4) The Clerk is directed to send copies of this Order to petitioner, to counsel for
9 respondent, and to the Honorable James P. Donohue.

10 DATED this 11 day of December 2018.

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13 RICARDO S. MARTINEZ
14 CHIEF UNITED STATES DISTRICT JUDGE
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