

THE HONORABLE JOHN C. COUGHENOUR

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JESSE D. McCANDLESS,

Plaintiff,

v.

STATE OF WASHINGTON,

Defendant.

CASE NO. C19-0599-JCC

ORDER

This matter comes before the Court on the report and recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge (Dkt. No. 8). Having thoroughly considered the relevant record, the Court hereby finds and ORDERS:

- (1) The report and recommendation (Dkt. No. 8) is ADOPTED;
- (2) Petitioner’s petition for writ of habeas corpus (Dkt. No. 6), and this action, are DISMISSED without prejudice for failure to exhaust state court remedies;
- (3) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the United States District Courts, a certificate of appealability is DENIED; and
- (4) The Clerk is DIRECTED to send copies of this order to Petitioner and Judge Theiler.

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1 DATED this 12th day of July 2019.

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5 John C. Coughenour
6 UNITED STATES DISTRICT JUDGE
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