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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BILLY WAYNE RICHMOND,
Petitioner,

v.

BELINDA STEWARD,
Respondent.

Case No. C08-5446RBL

ORDER DISMISSING PETITION

The Court, having reviewed the petition for habeas corpus, the Report and Recommendation of Judge J. Kelley Arnold, United States Magistrate Judge, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation.
- (2) Petitioner's pending motions, if any, are DENIED.
- (3) Petitioner's federal habeas petition is DISMISSED without prejudice..
- (4) The Clerk is directed to send copies of this Order to petitioner and to Judge Arnold.

DATED this 12th day of January, 2009.


 RONALD B. LEIGHTON
 UNITED STATES DISTRICT JUDGE