

United States District Court

WESTERN DISTRICT OF WASHINGTON

DEREK L. BLANKS

JUDGMENT IN A CIVIL CASE

v.

TIMOTHY WENGLER, et al.,

CASE NUMBER: C08-5543BHS

 Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

XX **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

The Court adopts the Report and Recommendation; and

This action is **DISMISSED** because Petitioner has chosen to return to state court to exhaust some of his federal habeas claims.

 May 27, 2009
Date

 BRUCE RIFKIN
Clerk

 s/CM Gonzalez
Deputy Clerk