

1  
2  
3  
4  
5  
6  
7 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
8 AT TACOMA

9 TEDDY MORRIS,

10 Petitioner,

11 v.

12 ROB McKENNA,

13 Respondent.  
14

CASE NO. C09-5345RBL/JRC

ORDER ADOPTING  
REPORT AND  
RECOMMENDATION

15 The Court having reviewed the Report and Recommendation of the Hon. J. Richard  
16 Creatura, United States Magistrate Judge, objections to the Report and Recommendation [Dkt.  
17 #33], and the remaining record, does hereby find and Order:

- 18 (1) The Court adopts the Report and Recommendation;
- 19 (2) This petition is DENIED for the reasons stated in the Report and  
20 Recommendation. This petition does not challenge the fact, length or duration of  
21 a sentence and it is not properly a habeas corpus matter.
- 22 (3) To the extent a certificate of appeal may be necessary, the Court declines to enter  
23 one here because the Petitioner has failed to make “a substantial showing of the  
24 denial of a constitutional right.” 28 U.S.C. § 2253(c)(2).  
25  
26

1 (4) The clerk is directed to send copies of this Order to Petitioner, and the Hon. J.  
2 Richard Creatura.

3 DATED this 1<sup>st</sup> day of March, 2010.

4   
5 RONALD B. LEIGHTON  
6 UNITED STATES DISTRICT JUDGE  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26