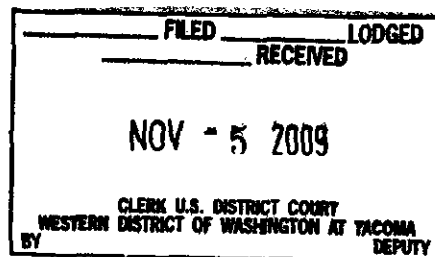


HONORABLE RONALD B. LEIGHTON



09-CV-05434-ORD



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DAVID ALLEN HAWKINS,
Petitioner,

v.

ELDON VAIL,
Respondent.

Case No. C09-5434RBL

ORDER

The Court, having reviewed the petition, the Report and Recommendation of the Hon. J. Richard Creatura, United States Magistrate Judge, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) The application to proceed *in forma pauperis* is **DENIED**; and
- (3) the Clerk is directed to send copies of this Order to petitioner and to counsel for respondent.

DATED this 5th day of November, 2009.

RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE