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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RODNEY JAMES HARRIS,

 Petitioner,

 v.

SCOTT RAKES,

 Respondent.

Case No. C11-5115BHS


ORDER ADOPTING REPORT
AND RECOMMENDATION

 This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable J. Richard Creatura, United States Magistrate Judge (Dkt. 14).

 The Court has considered the R&R and the remaining record, and no objections to the R&R having been filed, does hereby find and order as follows:

- (1) The R&R is **ADOPTED**;
- (2) A Certificate of Appealability is **DENIED**;
- (3) The petition is **DENIED**; and
- (4) This action is **DISMISSED**.

DATED this 15th day of June, 2011.



BENJAMIN H. SETTLE
United States District Judge

ORDER