

1  
2  
3 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
4 AT TACOMA

5 KEITH EDWARD BERRY,

6 Petitioner,

7 v.

8 MAGGIE MILLER-STOUT,

9 Respondent.

CASE NO. C13-5149 RBL/KLS

ORDER ADOPTING REPORT AND  
RECOMMENDATION

10 The Court, having reviewed Petitioner's 28 U.S.C. § 2254 petition for writ of habeas  
11 corpus, Respondent's Answer, the Report and Recommendation of Magistrate Judge Karen L.  
12 Strombom, objections to the Report and Recommendation, if any, and the remaining record, does  
13 hereby find and **ORDER:**

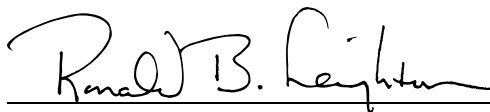
14 (1) The Court adopts the Report and Recommendation;

15 (2) Petitioner's § 2254 amended habeas petition is **denied on the merits and**  
16 **dismissed with prejudice.**

17 (3) Petitioner is **DENIED** issuance of a certificate of appealability; and

18 (4) The Clerk is directed to send copies of this Order to the parties and to the Hon.  
19 Karen L. Strombom.

20 **DATED** this 22<sup>nd</sup> day of July, 2013.

21  
22 

23 RONALD B. LEIGHTON  
24 UNITED STATES DISTRICT JUDGE