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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 THOMAS WS RICHEY,

9 Petitioner,

10 v.

11 MIKE OBENLAND,

12 Respondent.

CASE NO. C13-5231 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

13 This matter comes before the Court on the Report and Recommendation (“R&R”)
14 of the Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 22), and
15 Plaintiff’s objections to the R&R (Dkt. 23).

16 On June 17, Judge Strombom issued the R&R recommending that the Court
17 transfer Petitioner’s petition to the Ninth Circuit because it is a second or successive
18 petition. Dkt. 22. On June 25, 2013, Petitioner filed objections. Dkt. 23. Upon review
19 of the pleadings, the Court finds that Petitioner’s objections are without merit because the
20 instant petition contains identical issues to those presented in Case No. C13-5043BHS.

21 Therefore, the Court having considered the R&R, Petitioner’s objections, and the
22 remaining record, does hereby find and order as follows:

1 (1) The R&R is **ADOPTED**; and

2 (2) This petition shall be **TRANSFERRED** to the Ninth Circuit as a second or
3 successive petition; and

4 (3) This case shall be closed.

5 Dated this 12th day of August, 2013.

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BENJAMIN H. SETTLE
9 United States District Judge
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