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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DAVID DOUGLAS MOELLER,

Petitioner,

v.

MARGARET GILBERT.

Respondent.

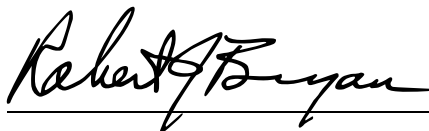
CASE NO. C13-5337 RJB-JRC

ORDER

The Court, having reviewed the Report and Recommendation of Magistrate Judge J. Richard Creatura (Dkt. 10) and the remaining record, does hereby find and ORDER:

1. The Court adopts the Report and Recommendation;
2. Petitioner's application to proceed *in forma pauperis* is **DENIED** as moot because the filing fee has been paid.

DATED this 21<sup>st</sup> day of June, 2013.



ROBERT J. BRYAN  
United States District Judge