

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

THOMAS LEE JACKSON,

V.

Petitioner,

JEFFREY A. UTTECHT,

Respondent.

No. C13-5446 RBL/KLS

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, having reviewed the Report and Recommendation, Petitioner's application to proceed *in forma pauperis* and the remaining record, hereby finds and **ORDERS**:

- (1) The Magistrate Judge's Report and Recommendation is approved and adopted.
- (2) Petitioner has paid the filing fee. Petitioner's application to proceed *in forma pauperis* (ECF No. 4) is **DENIED**.
- (3) The Clerk is directed to send copies of this Order to Petitioner and counsel for Respondent.

DATED this 12th day of September, 2013.

Paul B. Fechner

RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE