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

7 KEVIN DONAVON MOORE,

8 Petitioner,

9 v.

10 JEFFREY UTTECHT,

11 Respondent.

No. C13-5850 RJB/KLS

ORDER ADOPTING REPORT AND  
RECOMMENDATION

12 The Court, having reviewed the report and recommendation, Petitioner's application to  
13 proceed in forma pauperis (ECF No. 1) and the remaining record, hereby finds and **ORDERS**:

- 14 (1) The Magistrate Judge's report and recommendation is approved and adopted.  
15 (2) Petitioner's application to proceed in forma pauperis (ECF No. 1) is **DENIED**.  
16 (3) Petitioner shall pay the required filing fee [\$5.00] to the Clerk of the Court within  
17 thirty (30) days of the date of this Order.  
18 (4) The Clerk is directed to send copies of this Order to Petitioner and any other party  
19 that has appeared in this action.  
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21 **DATED** this 23rd day of September, 2013.

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24 Robert J. Bryan  
25 United States District Judge  
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