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

8 DONNELL W. PRICE,

9 Petitioner,

10 v.

11 PATRICK R. GLEBE,

12 Respondent.

CASE NO. C14-5011BHS-JRC

ORDER ADOPTING REPORT  
AND RECOMMENDATION

13 This matter comes before the Court on the Report and Recommendation (“R&R”)  
14 of the Honorable J. Richard Creatura, United States Magistrate Judge (Dkt. 48), and  
15 Plaintiff Donnell Price’s (“Price”) objections to the R&R (Dkt. 49).

16 On November 11, 2016, Judge Creatura issued the R&R recommending that the  
17 Court deny Price’s petition on the merits. Dkt. 48. On December 7, 2016, Price filed  
18 objections. Dkt. 49.

19 The district judge must determine de novo any part of the magistrate judge’s  
20 disposition that has been properly objected to. The district judge may accept, reject, or  
21 modify the recommended disposition; receive further evidence; or return the matter to the  
22 magistrate judge with instructions. Fed. R. Civ. P. 72(b)(3).

1 In this case, Price has failed to show any error in Judge Creatura's  
2 recommendation. Although Price argues that there were many errors in his trial, he has  
3 failed to show that any alleged error entitles him to federal habeas relief. In other words,  
4 the state court did not adjudicate Price's issues in a manner that was either contrary to or  
5 an unreasonable application of clearly established federal law. Therefore, the Court  
6 having considered the R&R, Price's objections, and the remaining record, does hereby  
7 find and order as follows:

- 8 (1) The R&R is **ADOPTED**;
- 9 (2) The Court **DENIES** Price's petition on the merits;
- 10 (3) The Court **DENIES** a Certificate of Appealability; and
- 11 (4) The Clerk shall enter **JUDGMENT** for Defendant and close this case.

12 Dated this 25th day of January, 2017.

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15 BENJAMIN H. SETTLE  
16 United States District Judge  
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