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

8 DONALD GENE FARMER,

9 Petitioner,

10 v.

11 MAGGIE MILLER-STOUT,

12 Respondent.

CASE NO. C14-5450 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. 14), and
15 Petitioner Donald Farmer’s (“Farmer”) objections to the R&R (Dkt. 15).

16 On August 15, 2014, Judge Strombom issued the R&R recommending that the
17 Court dismiss Farmer’s petition as time-barred. Dkt. 14. On September 5, 2014, Farmer
18 filed objections. Dkt. 15. On September 17, 2014, the Government filed a response.
19 Dkt. 16.

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

3 In this case, Farmer provides no valid basis for his objections. The Court agrees
4 with Judge Strombom that Farmer's petition is time-barred by a significant amount of
5 time and that Farmer has failed to show that he is entitled to any tolling. Therefore, the
6 Court having considered the R&R, Farmer's objections, and the remaining record, does
7 hereby find and order as follows:

- 8 (1) The R&R is **ADOPTED**;
- 9 (2) Farmer's petition is **DENIED**;
- 10 (3) A Certificate of Appealability is **DENIED**; and
- 11 (4) This action is **DISMISSED**.

12 Dated this 21st day of October, 2014.

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BENJAMIN H. SETTLE
United States District Judge