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8 16-6035UNITED STATES DISTRICT COURT
 WESTERN DISTRICT OF WASHINGTON
 AT TACOMA
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10 BRUCE L BENNETT JR,

11 Petitioner,

12 v.

13 MARGARET GILBERT,

14 Respondent.

CASE NO. 3:16-CV-06035-RBL-
DWC

ORDER ADOPTING REPORT AND
RECOMMENDATION

15 The Court, having reviewed the Report and Recommendation of Magistrate Judge David
 W. Christel, objections to the Report and Recommendation, and the remaining record, does
 hereby find and ORDER:

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17 (1) The Court adopts the Report and Recommendation [Dkt. #5].
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19 (2) Petitioner's Motion for Leave to Proceed *In Forma Pauperis* [Dkt. #1] is denied
 as moot.
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21 (4) The Clerk is directed to send copies of this Order to Petitioner, counsel for
 Respondents, and to the Hon. David W. Christel.

22 Dated this 10th day of February, 2017



23 Ronald B. Leighton
 United States District Judge
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