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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ROBERT BYRON LEE,

Petitioner,

v.

MARGARET GILBERT,

Respondent.

CASE NO. C17-5002 BHS-JRC

ORDER ADOPTING REPORT
AND RECOMMENDATION

10 This matter comes before the Court on the Report and Recommendation (“R&R”)
11 of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 9. The Court
12 having considered the R&R and the remaining record, and no objections having been
13 filed, does hereby find and order as follows:

14 (1) The R&R is **ADOPTED**; and

15 (2) Petitioner’s motion for IFP is **DENIED as moot** since he paid the \$5.00
16 filing fee on January 23, 2017.

17 Dated this 28th day of February, 2017.

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BENJAMIN H. SETTLE
United States District Judge