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

8 KIMOTHY-MAURICE WYNN,

9 Plaintiff,

v.

10 STATE OF WASHINGTON,

11 Defendant.

CASE NO. C17-6012 BHS

ORDER DISMISSING
COMPLAINT FOR LACK OF
JURISDICTION

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13 This matter comes before the Court on Plaintiff Kimothy-Maurice Wynn's
14 ("Wynn") complaint, Dkt. 1, the Court's order to show cause regarding jurisdiction, Dkt.
15 4, and Wynn's response, Dkt. 5.

16 On December 6, 2017, Wynn filed a complaint challenging his state court
17 conviction and sentence based on the theory that the state court prosecutor breached his
18 fiduciary duties under state laws governing commercial transactions. Dkt. 1. On
19 December 14, 2017, the Court ordered Wynn to show cause regarding jurisdiction
20 because the basis for the Court's jurisdiction was not clear from the face of the complaint.
21 Dkt. 4. On January 8, 2017, Wynn responded. Dkt. 5.

1 “If the court determines at any time that it lacks subject-matter jurisdiction, the
2 court must dismiss the action.” Fed. R. Civ. P. 12(h)(3).

3 In this case, Wynn has failed to establish any basis for jurisdiction over any claim
4 made in his complaint. Therefore, the Court **DISMISSES** Wynn’s complaint for lack of
5 jurisdiction. The Clerk shall close this case.

6 **IT IS SO ORDERED.**

7 Dated this 18th day of January, 2018.

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BENJAMIN H. SETTLE
11 United States District Judge