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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DENNIS MCDANIEL,

Petitioner,

v.

JASON BENNETT,

Respondent.

CASE NO. 3:24-CV-5243-RSM-DWC

ORDER ADOPTING REPORT AND RECOMMENDATION

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

(1) The Court adopts the Report and Recommendation.

(2) Petitioner's federal habeas Petition is dismissed without prejudice.

(3) A certificate of appealability is denied in this case.

(4) The Clerk is directed to send copies of this Order to Petitioner, counsel for Respondent, and to the Hon. David W. Christel.

DATED this 10th day of May, 2024.

RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE

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