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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

NICHOLAS JOHN CENCICH,
Plaintiff,

v.

GARY R. TABOR, JANE DOE
TABOR, JON TUNHEIM, and
JANE DOE TUNHEIM,
Defendants.

NO: 4:17-CV-0124-TOR

ORDER OF DISMISSAL WITHOUT
PREJUDICE, CEASE COLLECTION
OF FILING FEE

BEFORE THE COURT are the Magistrate Judge’s Report and
Recommendation to Dismiss Complaint without Prejudice and to Direct that
Collection of the Filing Fee Cease (ECF No. 16), and Plaintiff’s Motion to
Voluntarily Dismiss Complaint and Waive Collection of Filing Fee (ECF No. 15).
Defendants have not been served, Plaintiff seeks the relief requested and there being
no reason to delay.

ACCORDINGLY, IT IS HEREBY ORDERED:

- 1. The Report and Recommendation (ECF No. 16) is **GRANTED**.

1 2. Plaintiff's Motion to Voluntarily Dismiss Complaint and Waive Collection of
2 Filing Fee (ECF No. 15) is **GRANTED**. All claims in this action are
3 **DISMISSED without prejudice**.

4 3. The institution having custody of Plaintiff shall **CEASE COLLECTION** of
5 any remaining filing fee for this action.

6 The District Court Executive is directed to enter this Order, furnish copies to
7 the Plaintiff and to the Department of Corrections, Attn: LFO/COS UNIT, P.O. Box
8 41107, Olympia, WA 98504-1107, and the institution having custody of Plaintiff,
9 the Airway Heights Corrections Center, P.O. Box 2049, Airway Heights, WA
10 99001-2049, and **CLOSE** the file.

11 **DATED** October 11, 2017.



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Thomas O. Rice
THOMAS O. RICE
Chief United States District Judge