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2  
3 UNITED STATES DISTRICT COURT  
4 EASTERN DISTRICT OF WASHINGTON

5 DAVID DANIELS,

6 Plaintiff,

7 v.

8 MEDICAL DENTIST FUGER,

9 Defendant.

No. 4:14-cv-05112-EFS

**ORDER ADOPTING REPORT AND  
RECOMMENDATION DISMISSING  
COMPLAINT**

10  
11 Magistrate Judge Hutton filed a Report and Recommendation on March  
12 3, 2015, recommending Plaintiff's Motion to Voluntarily Dismiss pursuant  
13 to Federal Rule of Civil Procedure 41(a) be granted, ECF No. 11. There  
14 being no objections, the Court **ADOPTS** the Report and Recommendation.  
15 The Motion to Voluntarily Dismiss, ECF No. 10, is **GRANTED** and this  
16 action is **DISMISSED WITHOUT PREJUDICE**.

17 Although granted the opportunity to do so, Plaintiff did not file  
18 a separate motion and affidavit to waive the remaining balance of the  
19 filing fee as directed. Therefore, Plaintiff is obliged to pay the full  
20 filing fee for this action pursuant to 28 U.S.C. § 1915(b).

21 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this  
22 Order, enter judgment of dismissal without prejudice, forward a copy to  
23 Plaintiff and close the file.

24 **DATED** this 23<sup>rd</sup> day of March 2015.

25 \_\_\_\_\_  
s/Edward F. Shea

EDWARD F. SHEA

26 Senior United States District Judge