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MAY 22 2009
AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY
BY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOHN LITTLE,)
)
Plaintiff,) CASE NO. C08-684-MJP
)
v.)
)
MATTHEW SPANO, *et al.*,) ORDER OF DISMISSAL
)
Defendants.)

The Court, having reviewed plaintiff's amended complaint, defendants' motion to dismiss, the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Defendants' motion to dismiss for failure to exhaust administrative remedies (Dkt. No. 20) is GRANTED. Plaintiff's amended complaint and this action are DISMISSED without prejudice.

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ORDER OF DISMISSAL
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(3) The Clerk is directed to send copies of this Order to plaintiff, to counsel for defendants, and to the Honorable James P. Donohue.

DATED this 22 day of May, 2009.


MARSHA J. PECHMAN
United States District Judge