

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

KENNETH WAYNE LEAMING,

Plaintiff,

v.

J. SIMMONS,

Defendant.

CASE NO. C13-0759-JCC

ORDER

This matter comes before the Court on Report and Recommendation from the Honorable Magistrate Judge James P. Donohue (Dkt. No. 22), and Plaintiff's Order to Show Cause (Dkt. No. ). Having thoroughly considered the parties' briefing and the relevant record, the Court finds oral argument unnecessary and hereby ADOPTS the Report and Recommendation.

Plaintiff initiated this action on April 10, 2013. (Dkt. No. 1.) On November 6, 2013, he was given an opportunity to file an amended complaint to correct certain specified deficiencies in the Complaint. (Dkt. No. 21.) He filed no amended complaint. The Report and Recommendation therefore recommends dismissing the cause of action pursuant to § 1915(e)(2)(B). (Dkt. No. 22.)

Plaintiff did not file objections to the Report and Recommendation, but did file a document titled "Notice of Order to Show Cause." (Dkt. No. 23.) This submission alludes to a range of subjects, including the Magna Carta and the Constitution, "a deprivation of the due process right to establish a complete record," and the duty of the Ninth Circuit to investigate

1 subjects including “surety(s), bond(s), assets, and underwriting (most likely by Fidelity Mutual  
2 Insurance).” (Dkt. No. 23.) Even construed liberally, this submission suggests no basis for not  
3 adopting the Report and Recommendation.

4 Accordingly, the Court ORDERS:

5 (1) The Court ADOPTS the Report and Recommendation (Dkt. No. 22);

6 (2) This action is DISMISSED without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)  
7 for failure to adequately state a claim for relief;

8 (3) The Clerk is respectfully directed to send copies of this Order to the parties and to the  
9 Honorable James P. Donohue.

10 DATED this 11th day of March.

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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

John C. Coughenour  
UNITED STATES DISTRICT JUDGE