UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAMES BARSTAD,

Plaintiff,

v.

EARL X. WRIGHT, et al.,

Defendants.

CASE NO. C14-0523 BJR

ORDER DISMISSING ACTION

Before the Court is the Report and Recommendation of Mary Alice Theiler, United States Magistrate Judge. The Court hereby finds:

(1) The Report and Recommendation was filed on August 18, 2015 (Dkt. No. 62);

(2) Plaintiff's objections to the Report and Recommendation were due on or before September 8, 2015;

(3) On August 31, 2015, Plaintiff filed a document entitled "Notice" (Dkt. No. 64);

(4) On September 11, 2015, Plaintiff filed another document entitled "Notice Call for Response" (Dkt. No. 65);

(5) Neither of these documents addresses the merits of the Report and Recommendation; rather, they contain a series of statements regarding a "request

for Tax Assessment...Fiduciary Tax Estimate and Fiduciary Tax Return" from Magistrate Judge Theiler and U.S. District Court Judge Robert S. Lasnik. Dkt. No. 64 at 6. Plaintiff also states that he "expects this court to commit commercial dishonor and subsequent default in these matters" and requests the "Circuit Court Deputy" to "release [] the commodity" to him.[1] Dkt. No. 65 at 1-2;

(6) No dispute of material fact exists; and

(7) Plaintiff's Motion for Summary Judgment by Special Visitation is untimely and frivolous.

For the foregoing reasons, the Court, having reviewed Plaintiff's civil rights complaint, the Report and Recommendation of Magistrate Judge Theiler, the relevant case law, and the entire record of this case, HEREBY ORDERS:

(1) The Court adopts the Report and Recommendation of Magistrate Judge Theiler;

(2) Plaintiff's Motion for Summary Judgment by Special Visitation (Dkt. No. 61) is STRICKEN as untimely and frivolous;

(3) Defendant's Second Motion for Summary Judgment (Dkt. No. 56) is GRANTED, and Plaintiff's complaint, and this action, are DISMISSED with prejudice; and

(4) The Clerk is directed to send copies of this Order to Plaintiff and to the Honorable Mary Alice Theiler.

DATED this 19th day of October, 2015.

Barbara Jacobs Rothstein
U.S. District Court Judge

[1] It is unclear from the pleadings exactly what the "commodity" is that Plaintiff seeks to have released to him.