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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KEITH ADAIR DAVIS,

Plaintiff,

v.

WILLIAM HAYES, et al.,

Defendants.

Case No. C16-1709 RSM

ORDER OF DISMISSAL

The Court, having reviewed Plaintiff's complaint, the amended complaint, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, Objections filed by Plaintiff, and the remaining record, does hereby find and **ORDER:**

- (1) The Court adopts the Report and Recommendation.
- (2) This case is **dismissed without prejudice prior to service for failure to state a claim and the dismissal counted as a strike under 28 U.S.C. § 1915(g).**
- (3) The Clerk is directed to send copies of this Order to Plaintiff and to Judge Tsuchida.

DATED this 22 day of March 2017.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE