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7 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 PHILLIP B. HAUSKEN,

10 Plaintiff,

11 v.

12 DR. COGBURNE, *et al.*,

13 Defendants.
14

CASE NO. C16-1931-JCC

ORDER OF DISMISSAL

15 This matter comes before the Court on the report and recommendation of the
16 Honorable James P. Donohue, United States Magistrate Judge, that this case be dismissed
17 without prejudice for failure to prosecute. (Dkt. No. 5 at 1.) Judge Donohue’s recommendation
18 is based on the fact that Plaintiff has not paid the applicable filing fee or submitted the correct
19 *in forma pauperis* (IFP) application. (*Id.*); (*see also* Dkt. No. 3).

20 Plaintiff did not object to the recommendation. However, he did submit an updated IFP
21 application. (Dkt. No. 6.) Unfortunately, Plaintiff still did not use the proper form. This is
22 particularly important because the proper IFP form includes a “Written Consent for Payment of
23 Costs.” *See* <http://www.wawd.uscourts.gov/sites/wawd/files/WAWDIFPPrisCivilAction.pdf> at
24 Page 3. Pursuant to Local Civil Rule 3(b)(2), this section of the form gives permission that
25 “any recovery in damages that [an IFP plaintiff] may receive in the above-captioned cause may
26 be reduced, if so directed by the court, in such an amount as is necessary for payment of the

1 unpaid fees and costs which are taxed against [plaintiff] in the course of this litigation.” *Id.*

2 This is a crucial part of the form and, without that consent, Plaintiff cannot obtain IFP status.

3 Accordingly, the Court ORDERS that:

4 (1) The report and recommendation (Dkt. No. 5) is ADOPTED.

5 (2) This action is DISMISSED without prejudice.

6 (3) The Clerk is DIRECTED to send copies of this order to Plaintiff and to Judge
7 Donohue.

8 DATED this 22nd day of March 2017.

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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