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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ANTHONY HARVEY, aka ANTHONY  
HERBERT,

Plaintiff,

v.

FEDERAL BUREAU OF  
INVESTIGATIONS,

Defendant.

Case No. C17-1054-JLR

ORDER DISMISSING ACTION

The Court, having review the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, and the remaining record, does hereby ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) This action is DISMISSED without prejudice, and plaintiff's motion to proceed *in forma pauperis*, Dkt. 1, and motion for leave to amend, Dkt. 5, are DENIED as MOOT.
- (3) The Clerk is directed to send copies of this Order to plaintiff and to Judge Donohue.

DATED this 28<sup>th</sup> day of September, 2017.



JAMES L. ROBART  
United States District Judge

ORDER DISMISSING ACTION