

1 THE HONORABLE JOHN C. COUGHENOUR

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

9 RONALD BRENNAN, JR.,

CASE NO. C17-1928-JCC

10 Plaintiff,

ORDER

11 v.

12 ANTHONY ASTON *et al.*,

13 Defendants.

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15 This matter comes before the Court on the report and recommendation of the Honorable
16 Michelle L. Peterson, United States Magistrate Judge (Dkt. No. 232). Plaintiff has not filed
17 objections to the report and recommendation. Having thoroughly considered the report and
18 recommendation and the relevant record, the Court finds oral argument unnecessary and hereby
19 ORDERS that:

- 20 1. The report and recommendation (Dkt. No. 232) is ADOPTED.
- 21 2. Deputy Hatchell's motion for summary judgment (Dkt. No. 192) is GRANTED
22 and the only claim against him in this lawsuit is DISMISSED with prejudice.
- 23 3. Deputy Machyo and Deputy Chavez's motion for summary judgment (Dkt. No.
24 193) is GRANTED in part and DENIED in part. The motion is GRANTED as follows: (a)
25 Plaintiff's First Amendment retaliation claim against Deputy Machyo is DISMISSED with
26 prejudice; (b) Plaintiff's Fourteenth Amendment failure to protect claim against Deputy Chavez

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1 is DISMISSED with prejudice; and (c) Plaintiff's claim for compensatory damages against
2 Deputy Machyo is DISMISSED with prejudice. The motion is DENIED as to Plaintiff's
3 Fourteenth Amendment failure to protect claim against Deputy Machyo.

4 4. The Clerk is DIRECTED to send copies of this order to the parties and to Judge
5 Peterson.

6 DATED this 16th day of October 2019.

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10 John C. Coughenour
11 UNITED STATES DISTRICT JUDGE
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