

THE HONORABLE JOHN C. COUGHENOUR

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GABRIEL ECKARD,

Plaintiff,

v.

ALTA LANGDON, *et al.*,

Defendants.

CASE NO. C19-0579-JCC

ORDER

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable Mary Alice Theiler, United States Magistrate Judge (Dkt. No. 59). In the R&R, Judge Theiler recommends granting Defendants’ motion for summary judgment (Dkt. No. 24). In an order (Dkt. No. 58) entered on the same date as the R&R, Judge Theiler denied Plaintiff’s request for another extension of time to oppose the motion for summary judgment. Plaintiff filed untimely objections to the R&R and to the order denying his request for another extension of time. (Dkt. No. 64.) Defendants argue the objections are untimely and improper. (Dkt. No. 65.) Having thoroughly considered the parties’ briefing and the relevant record, the Court finds that Plaintiff’s objections are untimely and not properly before the Court. Nevertheless, the Court has reviewed Plaintiff’s objections *de novo* and finds that Judge Theiler properly denied Plaintiff’s request for additional time and properly concluded that Defendants are entitled to summary judgment.

ORDER
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Accordingly, the Court ORDERS:

- 1. Plaintiff’s objections (Dkt. No. 64) are OVERRULED.
- 2. The R&R (Dkt. No. 59) is APPROVED and ADOPTED.
- 3. Defendants’ motion for summary judgment (Dkt. No. 24) is GRANTED and Plaintiff’s amended civil rights complaint (Dkt. No. 18) and this action are DISMISSED with prejudice.
- 4. The Clerk is DIRECTED to send copies of this Order to Plaintiff, to counsel for defendants, and to Judge Theiler.

DATED this 19th day of August 2021.



John C. Coughenour
 UNITED STATES DISTRICT JUDGE