

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DAEVON MARKELL TURNER,

Plaintiff,  
v.

JASON W. HEUER, et al.,

## Defendants.

CASE NO. C21-1033 BHS

## ORDER ADOPTING REPORT AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) Honorable Michelle L. Peterson, United States Magistrate Judge. Dkt. 12. The having considered the R&R and the remaining record, and no objections having filed, does hereby find and order as follows:

- (1) The R&R is **ADOPTED**;
  - (2) Plaintiff's application to proceed *in forma pauperis* is **DENIED**;
  - (3) This case is **DISMISSED without prejudice**; and
  - (4) The Clerk shall enter JUDGMENT and close this case.

1 Dated this 18th day of November, 2021.

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BENJAMIN H. SETTLE  
United States District Judge