

1 THE HONORABLE JOHN C. COUGHENOUR

2
3
4
5
6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 RAY CLARENCE ROGERS,

CASE NO. C23-1160-JCC

10 Plaintiff,

ORDER

11 v.

12 WEAVER, *et al.*,

13 Defendants.

14
15 This matter comes before the Court on Plaintiff's objections (Dkt. No. 30) and
16 Defendants' objections (Dkt. No. 29) to the Amended Report and Recommendation ("R&R") of
17 the Honorable Grady J. Leupold, United States Magistrate Judge (Dkt. No. 27). Having
18 thoroughly considered the R&R and the relevant record, the Court hereby OVERRULES the
19 objections and ADOPTS the Amended R&R for the reasons stated herein.

20 A district court must conduct a *de novo* review of those portions of a magistrate judge's
21 R&R to which a party properly objects. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3). A party
22 properly objects when he or she files "specific written objections" to the R&R. Fed. R. Civ. P.
23 72(b)(2). In contrast, general objections or summaries of arguments previously presented have
24 the same effect as no objection at all since they do not focus the Court's attention on any specific
25 issues for review. *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505, 509 (6th Cir.
26 1991); *see also Garvey v. Uttecht*, 2020 WL 5946157, slip op. at 1 (W.D. Wash. 2020).

ORDER
C23-1160-JCC
PAGE - 1

1 Accordingly, the Court ORDERS as follows:

- 2 1. The R&R (Dkt. No. 27) is ADOPTED.
- 3 2. Defendants' objections (Dkt. No. 29) are OVERRULED.
- 4 3. Plaintiff's objections (Dkt. No. 30) are OVERRULED.
- 5 4. Plaintiff's claims against King County, the Department of Adult and Juvenile
- 6 Detention, and Allen Nance are dismissed with prejudice.
- 7 5. Plaintiff's 14th Amendment claim against Sergeant Weaver is dismissed without
- 8 prejudice and with leave to amend. Plaintiff is INSTRUCTED to cure his complaint
- 9 as to this issue no later than February 19, 2024.
- 10 6. Defendants' motion is denied with respect to Plaintiff's First Amendment retaliation
- 11 claim.
- 12 7. The Clerk is directed to send copies of this Order to the parties and to the Honorable
- 13 Grady J. Leupold.
- 14

15 DATED this 5th day of February 2024.

16 

17 John C. Coughenour
18 UNITED STATES DISTRICT JUDGE
19
20
21
22
23
24
25
26