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

10 MICHAEL THEIN

11 Plaintiffs,

12 v.

13 OAK HARBOR POLICE DEPARTMENT

14 Defendants.
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Case No. 2:23-cv-01832-RSM

ORDER OF DISMISSAL

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17 *Pro se* Plaintiff Michael Thein filed this case against Oak Harbor Police Department on
18 November 30, 2023. Dkt. #4. Mr. Thein was ordered to amend his complaint within thirty days
19 on December 18, 2023, which he filed on December 29, 2023. Dkts. #6, #8. Mr. Thein was
20 ordered to show cause on January 3, 2024, with instructions to file no later than thirty days from
21 the date of the Order, by February 2, 2024, or this case would be dismissed. Dkt. #9. Mr. Thein
22 did not file a response by February 2, 2024.
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24 Mr. Thein alleges the following causes of action against the Oak Harbor Police
25 Department under several citations, including § 1983, the Fourth Amendment, the Civil Rights
26 Act of 1964, Washington Administrative Code, and “Act of 1986 ECPA.” *Id.* at 1, 5. He lists
27 several locations, such as “Zoo NW . . . by Ave trl . . . 9 Oak Harbor, WA . . . Skagit Valley
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1 Hospital Mount Vernon WA . . . [and] Swinomish Casino Lodge[.]” but notes the events giving
2 rise to this claim occurred in Oak Harbor, Washington. *Id.* at 6. He names several people,
3 including “Dad” and “Mom,” as being in car accidents, and he claims emotional and physical
4 injuries concerning numerous people. *Id.* at 7. Mr. Thein further claims “immaterial” and
5 “irreparable” damages, as well as actual, economic, and breach of contract damages. *Id.* at 7.
6 He vaguely states that these events occurred between “March 2007 – Present[.]” *Id.* at 6.

8 The Court will dismiss a Complaint at any time if the action fails to state a claim, raises
9 frivolous or malicious claims, or seeks monetary relief from a defendant who is immune from
10 such relief. *See* 28 U.S.C. § 1915(e)(2)(B).

11 As the Court’s previous Order explained, Mr. Thein’s Amended Complaint failed to state
12 a claim upon which relief could be granted due to insufficient detail and deficiencies requiring
13 dismissal. Dkt. #9; *see* 28 U.S.C. § 1915(e)(2)(B). Mr. Thein was ordered to file a short
14 statement telling the Court why this case should not be dismissed as frivolous by February 2,
15 2024, or this case would be dismissed. Mr. Thein did not file a response to the Court’s Order to
16 Show Cause.
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18 Accordingly, the Court hereby ORDERS this case is DISMISSED without prejudice. All
19 pending motions are STRICKEN as moot, and the Clerk shall close this case.
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21 DATED this 5th day of February, 2024.

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24 RICARDO S. MARTINEZ
25 UNITED STATES DISTRICT JUDGE
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