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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RAFAEL RIVERA,

 Plaintiff,

 v.

CITY OF LACEY, *et al.*,

 Defendants.

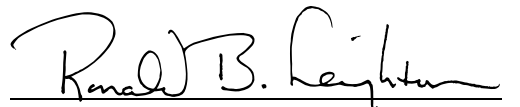
Case No. C08-5719 RBL/KLS

ORDER ADOPTING REPORT AND
RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and **ORDER:**

- (1) Plaintiff’s Motion for a Stay of Proceedings [Dkt. #10] is **DENIED**.
- (2) The Court adopts the Report and Recommendation.
- (3) This action is **DISMISSED WITHOUT PREJUDICE** pursuant to *Heck v. Humphrey*, 512 U.S. 477 (1994).
- (4) The Clerk is directed to send copies of this Order to plaintiff and to the Hon. Karen L. Strombom.

DATED this 23rd day of February, 2009.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE