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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JONATHAN W. McKINNEY,

Plaintiff,

v.

JOHN MILLS, et al.,

Defendants.

Case No. C08-5720BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation of the Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 8). The Court having considered the Report and Recommendation, Plaintiff's failure to file objections, and the remaining record, does hereby find and order:

- (1) The Court adopts the Report and Recommendation; and
- (2) Plaintiff's claims against Defendant Pierce County Sheriff's Department are **DISMISSED WITHOUT PREJUDICE**, and this case is **RE-REFERRED** to Judge Strombom for further proceedings.

DATED this 4<sup>th</sup> day of May, 2009.



BENJAMIN H. SETTLE  
United States District Judge

ORDER