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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

STEVEN LEE SCHAFER,

Plaintiff,

v.

GERALD HORNE AND TERRY LANE IN
THEIR OFFICIAL CAPACITIES,

Defendants.

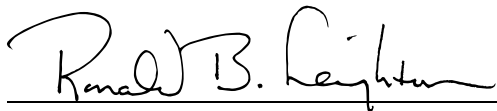
No. 09-5247RBL/JRC

ORDER ADOPTING REPORT AND
RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge J. Richard Creatura, objections to the Report and Recommendation [Dkt. #16], and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) This action is **DISMISSED WITHOUT PREJUDICE** based on the abstention doctrine. Mr. Schafer should raise these issues in his state court criminal trial.
- (3) The Clerk is directed to send copies of this Order to plaintiff, and to the Hon. J. Richard Creatura.

DATED this 19th day of June, 2009.



RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE