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10 UNITED STATES DISTRICT COURT
11 WESTERN DISTRICT OF WASHINGTON
12 AT TACOMA

12 AMEL DALLUGE,

13 Plaintiff,

14 v.

15 ALVA MOSELEY, *et al.*,

16 Defendants.

Case No. 09-5623BHS/JRC

ORDER RENOTING PLAINTIFF'S
MOTION FOR A RESTRAINING ORDER
AND DIRECTING DEFENDANTS TO
RESPOND

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19 This 42 U.S.C. § 1983 Civil Rights action has been referred to the undersigned
20 Magistrate Judge pursuant to Title 28 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B) and Local
21 Magistrate Judges' Rules MJR 1, MJR 3, and MJR 4.

22 Plaintiff asks the court to enter an order preventing Defendant Moseley from "retaliating"
23 against plaintiff for filing this action (Dkt. # 20). He claims he has been unfairly demoted to
24 maximum custody. A prior motion for injunctive relief was removed from the court's calendar
25 and plaintiff was instructed to re-note his motion after he had filed an amended complaint that
26 addressed whether he had exhausted his administrative remedies (Dkt. # 17). Plaintiff has now

ORDER - 1

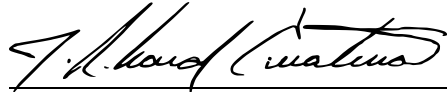
1 filed an amended complaint alleging that he has exhausted his administrative remedies. (Dkt.
2 23).

3 Therefore, on its own motion, the court re-notes plaintiff's latest motion regarding
4 retaliation (Dkt. # 20) for **March 5, 2010**, in order to give defendants an opportunity to respond.

5 Pursuant to Local Rule 7 (b) (2), if the responding party fails to file papers in opposition
6 to a motion that this may be deemed as an admission that the motion has merit.

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8 The clerk is directed to send plaintiff a copy of this order, re-note Dkt. # 20 for **March 5,**
9 **2010.**

10 DATED this 17th day of February, 2010.

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13 J. Richard Creatura
14 United States Magistrate Judge