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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JUSTEN WILLIAM DeFRANG,

Plaintiff,

v.

JOHN DOE MEYER, et al.,

Defendants.


CASE NO. C09-5757BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation of the Honorable J. Richard Creatura, United States Magistrate Judge (Dkt. 19). The Court having considered the Report and Recommendation and the remaining record, and no objections having been filed, does hereby find and **ORDER** as follows:

- (1) The Report and Recommendation is **ADOPTED**;
- (2) Defendants' motion to dismiss for failure to state a claim is **GRANTED**; and
- (3) Plaintiff's claims are **DISMISSED with prejudice**. Such dismissal counts as a strike against Plaintiff under 28 U.S.C. 1915(g).

DATED this 29th day of June, 2010.


BENJAMIN H. SETTLE
United States District Judge

ORDER