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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LARRELL LANE, JR.,

Plaintiff,

v.

WESTERN STATE HOSPITAL;
SUZANNA LEICHMAN; MARK
SEILING; RICHARD TOMKO;
WILLIAM EHLER; LINDA
SALAZAR; DIANA HATHAWAY;
CHRISS SAURSON; K.J. DAVITON,

Defendants.

Case No. C10-5414BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 28. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The R&R is **ADOPTED**; and
- (2) This action is **DISMISSED without prejudice**.¹

DATED this 31st day of March, 2011.



BENJAMIN H. SETTLE
United States District Judge

¹Magistrate Judge Creatura recommended dismissing this case with prejudice, primarily because Plaintiff is now deceased. However, the R&R in this matter was returned as undeliverable. Based on this fact, the matter is more properly dismissed without prejudice.

ORDER