

**United States District Court**  
WESTERN DISTRICT OF WASHINGTON

KEVIN JOSEPH SMITH

v.

ALEXIS T. WALLACE

JUDGMENT IN A CIVIL CASE

CASE NUMBER: C10-5763RBL/KLS

     **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

XX **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

THE COURT HAS ORDERED THAT

The Court adopts the Report and Recommendation; and

This action is **DISMISSED without prejudice** prior to service for failure to state a claim.

December 28, 2010  
Date

BRUCE RIFKIN  
Clerk

s/CM Gonzalez  
By, Deputy Clerk