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3 UNITED STATES DISTRICT COURT  
4 WESTERN DISTRICT OF WASHINGTON  
5 AT TACOMA

6 SYLVESTER JAMES MAHONE,

7 Plaintiff,

8 v.

9 PIERCE COUNTY, PIERCE COUNTY  
10 SHERIFF'S DEPARTMENT, PAUL  
11 PASTOR, RICH ODEGARD, LT.  
12 CHARLA JAMES, MARVIN  
SPENCER, and MARTHA KERR,

Defendants.

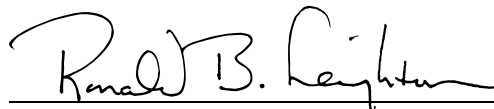
No. C10-5847 RBL/KLS

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

13 The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen  
14 L. Strombom, objections to the Report and Recommendation, if any, and the remaining record,  
15 does hereby find and **ORDER:**

- 16 (1) The Court adopts the Report and Recommendation.
- 17 (2) Defendant Charla James' Motion for Summary Judgment (ECF No. 16) is  
18 **GRANTED**; Plaintiff's federal claims against Defendant James are **Dismissed**  
19 **with Prejudice**; Plaintiff's state law claims are **Dismissed Without Prejudice**.
- 20 (3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for  
21 Defendants and to the Hon. Karen L. Strombom.

22 **DATED** this 10<sup>th</sup> day of June, 2011.

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25 RONALD B. LEIGHTON  
26 UNITED STATES DISTRICT JUDGE