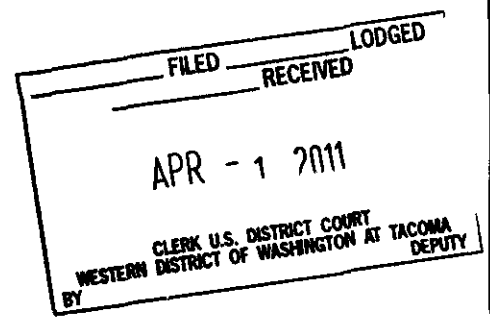


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11-CV-05131-ORD



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BRIAN DAVID MATTHEWS,

Plaintiffs,

v.

PIERCE COUNTY,

Defendants.

Case No. C11-5131RBL/JRC

ORDER ADOPTING A REPORT AND
RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge J. Richard Creatura, objections to the Report and Recommendation [Dkt. #9], and the remaining record, does hereby find and ORDER:

1. The Court adopts the Report and Recommendation;
2. Plaintiff's Proposed Amended Complaint does not cure the deficiencies addressed in the Report and Recommendation and is frivolous;
3. This action is DISMISSED WITH PREJUDICE prior to service as frivolous and malicious.
4. The Clerk is directed to send a copy of this Order to plaintiff, and to the Hon. J. Richard Creatura.

DATED this 1 day of April, 2011.

for
RONALD B. LEIGHTON
United States District Judge

ORDER - 1