

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RODNEY CARL WHEELER,

Plaintiff,

v.

ATTORNEY GENERAL'S OFFICE et al.

Defendants.

CASE NO. 3:11-cv-05311-RBL-JRC

ORDER ADOPTING A REPORT
AND RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge J. Richard Creatura, plaintiff's objection [Dkt. # 19], and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) The Washington State Attorney General's Office motion for judgment on the pleadings is GRANTED. State agencies are not "persons" for purpose of the civil rights act and the state enjoys Eleventh Amendment immunity from a suit for damages in Federal Court.
- (3) The Clerk is directed to send copies of this Order to plaintiff, and to the Hon. J. Richard Creatura.

DATED this 6th day of September, 2011.



RONALD B. LEIGHTON
United States District Judge