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10 UNITED STATES DISTRICT COURT  
11 WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

12 RODNEY CARL WHEELER,

13 Plaintiff,

14 v.

15 ATTORNEY GENERAL'S OFFICE et al.

16 Defendants.

CASE NO. C11-5311-RBL-JRC

ORDER DENYING PLAINTIFF'S  
MOTION TO STRIKE  
DEFENDANT'S MOTION TO  
DISMISS

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18 This 42 U.S.C. §1983 civil rights matter, has been referred to the undersigned Magistrate  
19 Judge pursuant to 28 U.S.C. §§ 636(b)(1)(A) and (B) and Local Magistrate Judges Rules MJR 1,  
20 MJR 3, and MJR 4. The sole remaining defendant in this action, the Thurston County  
21 Prosecutors Office, has filed a motion to dismiss the action as time barred (ECF No. 29).  
22 Plaintiff asks that the motion be struck from the calendar as the papers were not signed (ECF No.  
23 31). The motion was electronically filed and the signature line contains the symbol “/S/”(ECF  
24

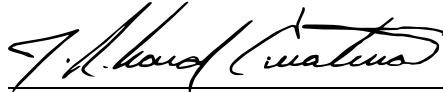
ORDER DENYING PLAINTIFF'S MOTION TO  
STRIKE DEFENDANT'S MOTION TO DISMISS -

1 No. 29). This constitutes signature and the motion to strike the motion to dismiss is DENIED.

2 The Court will address the motion to dismiss in a separate Report and Recommendation.

3 Dated this 14<sup>th</sup> day of December, 2011.

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J. Richard Creatura  
United States Magistrate Judge

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