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2
3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

5 WILLIAM G. SMITH,

6 Plaintiff,

7 v.

No. C11-5401 RBL/KLS

8 RODULF TRIVENO, RANDY PIERCE,
9 CATHERINE BAUM, GARY
FLETCHER, WILLIAM ROLLINS,
10 PATRICK GLEBE, DAN VAN OGLE,
KERRI McTARSNEY, DENNIS
11 DAHNE, TAMMY NIKULA, DANO
GORTON, KATHY RENINGER,
12 JOSEPH LOPIN, ELDON VAIL, DAN
PACHOLKE, SEAN MURPHY, STEVE
13 HAMMOND, and DEPARTMENT OF
CORRECTIONS,

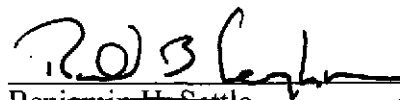
14 Defendants.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

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

- 18 (1) The Court adopts the Report and Recommendation.
- 19 (2) Plaintiff's claims against Defendants Randy Pierce and Gary Fletcher are
20 **DISMISSED without prejudice** for failure to prosecute.
- 21 (3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for
22 Defendants and to the Hon. Karen L. Strombom.

23 DATED this 14 day of February 2011.

24 
25 Benjamin H. Settle
26 United States District Court Judge