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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

RICHARD ROY SCOTT,

Plaintiff,

v.

KELLY CUNNINGHAM,

Defendant.

CASE NO. C11-5509BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 97) and Plaintiff Richard Roy Scott’s (“Scott”) objections to the R&R (Dkt. 109).

On December 12, 2011, Judge Strombom issued the R&R recommending that the Court deny five of Scott’s motions for temporary restraining orders and refer one other motion for a temporary restraining order back to Judge Strombom for further briefing and consideration. Dkt. 97. This procedural recommendation was based on the fact that Scott is subject to certain case management orders due to abusive litigation tactics in prior suits. *Id.*

On December 21, 2012, Scott filed objections to the R&R. Dkt. 109. Scott, however, fails to correct the deficiencies that Judge Strombom found in Scott’s requests for temporary restraining orders. For example, Scott has failed to show that he will succeed on the merits of his claims or that there is a likelihood of irreparable injury absent

1 relief. Moreover, Scott has failed to confine his requests for relief to the causes of action  
2 set forth in his complaint.

3 Therefore, the Court having considered the R&R, Scott's objections, and the  
4 remaining record, does hereby find and order as follows:

- 5 (1) The R&R is **ADOPTED**;
- 6 (2) No further action need be taken on Dkts. 51, 54, 60, 84 and 91; and
- 7 (3) Scott's motion (Dkt. 61) shall be re-referred to Judge Strombom, noted for  
8 hearing, and Defendant is directed to file a response.

9 DATED this 10<sup>th</sup> day of February, 2012.

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12 BENJAMIN H. SETTLE  
13 United States District Judge