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

6 RICHARD ROY SCOTT,

7 Plaintiff,

8 v.

9 KELLY CUNNINGHAM,

10 Defendant.

NO. C11-5509 BHS/KLS

ORDER TO SHOW CAUSE RE:
MOTION TO WITHDRAW AND
MOTION TO DISMISS

11 Before the Court are Plaintiff Richard Roy Scott’s Motion to Withdraw All
12 Motions/Appeals (ECF No. 261) and Motion to Dismiss (ECF No. 262). Mr. Scott states that
13 the Special Commitment Center (SCC) where he is housed is closing and moving its operations
14 off McNeil Island. *Id.* Mr. Scott states that because his claims in this lawsuit are premised on
15 the conditions of his confinement and the SCC’s ability to conduct its operations on McNeil
16 Island, his claims are now moot. *Id.* According to Defendant Kelly Cunningham, the Chief
17 Executive Officer of the SCC, the SCC is not closing and whether the SCC relocates from
18 McNeil island at some point in the future is a decision that has not been made. ECF No. 281
19 (Declaration of Kelly Cunningham).

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21 Mr. Scott is mistaken in his belief that the SCC is moving its operations off McNeil
22 Island. He is, therefore, directed to indicate to this Court whether he wishes to proceed with
23 his motions to withdraw and to dismiss (ECF Nos. 261 and 262) or whether he wishes to have
24 them removed from the Court’s calendar.
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1 Plaintiff shall advise the Court **on or before May 18, 2012 or the Court will assume**
2 **that Plaintiff wishes to proceed with the motions as noted.**

3 Accordingly, it is **ORDERED:**

4 (1) Plaintiff's shall advise the Court **on or before May 18, 2012** how he wishes to
5 proceed as to his motions to withdraw (ECF No. 261) and motion to dismiss (ECF No. 262).
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7 (2) The Clerk shall send a copy of this Order to Plaintiff and counsel for
8 Defendants.

9 **DATED** this 1st day of May, 2012.

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12 Karen L. Strobom
13 United States Magistrate Judge
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