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

5 SCOTT CARROLL BOLTON,
6 Plaintiff,
7 v.
8 STATE OF WASHINGTON, et al.,
9 Defendants.

CASE NO. C12-5658 BHS
ORDER ADOPTING REPORT
AND RECOMMENDATION

10 This matter comes before the Court on the Report and Recommendation (“R&R”)
11 of the Honorable Karen L. Strombom, United States Magistrate Judge. Dkt. 43. The
12 Court having considered the R&R and the remaining record, and no objections having
13 been filed, does hereby find and order as follows:

14 (1) The R&R is **ADOPTED**.

15 (2) Plaintiff’s motion to dismiss pursuant to Rule 41(a)(1) is **GRANTED**, this
16 action is **dismissed without prejudice**, and the dismissal is counted as a “strike” under
17 28 U.S.C. § 1915(g).

18 (3) All pending motions, including Dkts. 13 and 17, are **DENIED as moot**.

19 Dated this 20th day March, 2013.

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21 BENJAMIN H. SETTLE
22 United States District Judge