

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

PHILIP IRA SCHEFFLIN,

Plaintiff,

V.

LYNNE DELANO et al.

## Defendants.

CASE NO. C12-5695 RBL-JRC

## ORDER ADOPTING A REPORT AND RECOMMENDATION

The Court having reviewed the Report and Recommendation of the Hon. J. Richard

14 | **Creatura, United States Magistrate Judge, objections to the Report and Recommendation, if any,**

15 and the remaining record, does hereby find and Order:

(1) The Court adopts the Report and Recommendation;

(2) Plaintiff may not challenge the fact that he is in prison or the length of his prison term through a civil rights action. This action is dismissed without prejudice prior to service.

(3) In forma pauperis status is revoked for purpose of appeal.

DATED this 1st day of November, 2012.

Ronald B. Lightner

Ronald B. Leighton  
United States District Judge