

1  
2  
3 UNITED STATES DISTRICT COURT  
4 WESTERN DISTRICT OF WASHINGTON  
5 AT TACOMA

6 MELANIE RASMUSSEN,

7 Plaintiff,

8 v.

9 CAROLYN W. COLVIN, Acting  
10 Commissioner of Social Security,

11 Defendant.

Case No. C14-5007 RJB

ORDER DECLINING TO ADOPT  
REPORT AND RECOMMENDATION  
AND RE-REFERRING MATTER TO  
UNITED STATES MAGISTRATE JUDGE

12  
13 This matter comes before the Court on the Report and Recommendation of the Honorable  
14 Karen L. Strombom, United States Magistrate Judge. Dkt. 14. The Magistrate Judge  
15 recommends that Plaintiff's motion to withdraw her complaint be granted. *Id.*

16 In response to the Report and Recommendation, Plaintiff moves to withdraw her motion  
17 for voluntary dismissal and requests the appointment of counsel. Dkt. 15. Although Plaintiff  
18 states that she is unable to afford an attorney, Plaintiff has not provided the Court with a  
19 sufficient showing that an appointment of counsel would be appropriate. Plaintiff should be  
20 given the opportunity to do so.

21  
22 The Court, having reviewed Plaintiff's complaint, the Report and Recommendation of  
23 Judge Karen L. Strombom, United States Magistrate Judge, Plaintiff's request to withdraw the  
24 motion for voluntary dismissal and for appointment of counsel, and the remaining record, does  
25 hereby find and **ORDER:**

26 (1) The Court declines to adopt the Report and Recommendation; and

ORDER - 1

1 (2) The matter is **re-referred** to the United States Magistrate Judge for consideration of  
2 Plaintiff's request for appointment of counsel.

3 DATED this 23<sup>rd</sup> day of December, 2014.

4  
5 

6 ROBERT J. BRYAN  
7 United States District Judge  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26