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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

AARON HAHN,

Plaintiff,

v.

DOUG WADDINGTON, et al.,

Defendants.

CASE NO. 14-5047 RJB/TLF

ORDER REFERRING CASE

This matter comes before the Court on the Mandate of the U.S. Court of Appeals for the Ninth Circuit. Dkt. 46. The Court has considered the Mandate and the remaining file.

In this civil rights case, Plaintiff alleges that Defendants were deliberately indifferent to his mental health when they sent him to the Washington State Penitentiary and failed to protect him from an inmate on inmate assault. Dkt. 19.

On June 5, 2017, the Ninth Circuit Court of Appeals reversed the decision of this Court adopting a Report and Recommendation which recommended dismissal of the case because the statute of limitations prevented consideration of the claims and Plaintiff made no showing that he was entitled to equitable tolling. Dkt. 32. The mandate was issued on June 27, 2017. Dkt. 46.

1 This case should be referred to U.S. Magistrate Judge Theresa L. Fricke for further  
2 proceedings.

3 It is **ORDERED** that:

- 4 • This case is **REFERRED** to U.S. Magistrate Judge Theresa L. Fricke for further  
5 proceedings.

6 The Clerk is directed to send uncertified copies of this Order to U.S. Magistrate Theresa  
7 L. Fricke, all counsel of record, and to any party appearing *pro se* at said party's last known  
8 address.

9 Dated this 10<sup>th</sup> day of June 2017.

10 

11 ROBERT J. BRYAN  
12 United States District Judge