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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 SYLVESTER JAMES MAHONE,

11 Plaintiff,

12 v.

13 PAT MCCARTHY et al.,

14 Defendants.

CASE NO. 3:14-CV-05812-BHS-JRC

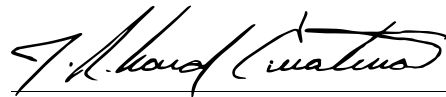
ORDER ON REMAINING CLAIMS

15 This 42 U.S.C. §1983 civil rights matter has been referred to the undersigned Magistrate
16 Judge pursuant to 28 U.S.C. §§ 636 (b)(1)(A) and (B) and Local Magistrate Judge Rules MJR 1,
17 MJR 3, and MJR 4.

18 On September 22, 2015, defendants' motion to dismiss (Dkt. 27) was granted as to all of
19 plaintiff's claims except his Eighth Amendment claims for deliberate indifference as to
20 plaintiff's safety and deliberate indifference as to plaintiff's medical needs. Dkt. 51. However,
21 plaintiff was given leave to amend his claim alleging a failure to train and claims asserting
22 violations of the Americans with Disabilities (ADA) and Rehabilitation Act (RA). *Id.* Plaintiff
23 has failed to amend his claim alleging a failure to train and claims asserting ADA and RA
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1 | violations by the deadline imposed by the Court. *See* Dkts. 47, 51, Dkt. entry dated September
2 | 22, 2015. Thus, this case is proceeding on plaintiff's two remaining claims: (1) failure to take
3 | reasonable steps to protect plaintiff's safety against defendants McCarthy, Parker, Pastor,
4 | Daniels, Spencer, Karr and Carn; and (2) failure to provide adequate medical care against
5 | defendant Balderoma.

6 | Dated this 2nd day of November, 2015.

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8 | J. Richard Creatura
9 | United States Magistrate Judge