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

6 GABRIEL ECKARD,

7 Plaintiff,

8 v.

9 PAT GLEBE, et al.,

10 Defendants.

No. C14-5898 RJB-KLS

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

11 The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen
12 L. Strombom, objections to the Report and Recommendation, if any, and the remaining record,
13 does hereby find and **ORDER:**

- 14 (1) The Court adopts the Report and Recommendation (Dkt. 33).
15 (2) Defendant's motion for summary judgment (Dkt. 25) is **GRANTED**; Plaintiff's
16 claim relating to cell checks (June 2, 2014 to June 9, 2014) is **dismissed with**
17 **prejudice**; his remaining claims are **dismissed without prejudice** for failure to
18 exhaust administrative remedies.
19 (3) The Clerk is directed to send copies of this Order to Plaintiff and to the Hon.
20 Karen L. Strombom.

21 **DATED** this 27th day of October, 2015.

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23 ROBERT J. BRYAN
24 United States District Judge