

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

4 MICHAEL CARROLL,

5 Plaintiff,

6 v.

7 KELSEY STEWART, et al.,

8 Defendants.

CASE NO. C15-5170 BHS-JRC

ORDER ADOPTING REPORT
AND RECOMMENDATION

9 This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 29. The Court
10 having considered the R&R and the remaining record, and no objections having been
11 filed, does hereby find and order as follows:

- 12 (1) The R&R is **ADOPTED**;
- 13 (2) Defendants’ motion to dismiss (Dkt. 17) is **DENIED as moot**; and
- 14 (3) This matter is re-referred to Magistrate Judge J. Richard Creatura for

15 further proceedings.

16 Dated this 25th day August, 2015.

17
18 

19 BENJAMIN H. SETTLE
20 United States District Judge