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

10 CHARLES ROBINSON,

11 Plaintiff,

12 v.

13 WASHINGTON STATE SPECIAL
14 COMMITMENT CENTER CHIEF
15 MEDICAL DIRECTOR, DR. LESLIE
16 SZIEBERT; WASHINGTON STATE
SPECIAL COMMITMENT CENTER
GALINA DIXON, ARNP,

17 Defendant.

CASE NO. 3:15-CV-05555-RJB-DWC

ORDER ON REPORT AND
RECOMMENDATION ON
DEFENDANT DIXON'S MOTION TO
DISMISS

18 The Court has reviewed the Report and Recommendation of Magistrate Judge David W.
19 Christel (Dkt. 52), objections to the Report and Recommendation by Plaintiff (Dkt. 54), and the
20 remainder of the file herein.

21 The Report and Recommendation recommends dismissal of the Amended Complaint for
22 failure to state a claim. Plaintiff's Objection to the Report and Recommendation enumerates a
23 series of facts that, according to Plaintiff, provide a basis for the Court to reject the
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1 recommended dismissal. Dkt. 54. However, Plaintiff's Objection takes issue with Defendants'
2 medical care for the same reasons alleged in the Amended Complaint. Closely comparing the
3 alleged facts in Plaintiff's Objection with the Amended Complaint reveals nothing more than a
4 repetition of the facts. For example, both describe what happened on 12/4/16, 12/10/13,
5 12/11/13, 12/19/13, and 2/8/16. Compare Dkt. 39 at ¶¶5.8-5.13 and ¶¶ Dkt. 54 at ¶¶1.4-1.9.

6 Plaintiff's Objection provides no persuasive reason to reject the recommendation. The
7 Report and Recommendation should be adopted and the case dismissed without prejudice.

8 Therefore, the Court HEREBY ORDERS:

- 9 (1) The Court adopts the Report and Recommendation;
- 10 (2) The Court grants Defendant Dixon's Motion to Dismiss. Defendant Dixon
11 is dismissed from this action without prejudice.
- 12 (3) The Clerk is directed to send a copy of this Order to Plaintiff, and to the
13 Hon. David W. Christel.

14 Dated this 27th day of October, 2016.

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16 ROBERT J. BRYAN
17 United States District Judge