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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 RAY CHARLES HARRIS,

9 Plaintiff,

v.

10 PIERCE COUNTY JAIL
11 CLASSIFICATION AND
ADMINISTRATION OFFICE, et al.,

12 Defendants.

CASE NO. C16-5044 BHS-DWC

ORDER DENYING PLAINTIFF'S
MOTION TO ALTER OR AMEND
JUDGMENT

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14 This matter comes before the Court on Plaintiff Ray Charles Harris's ("Harris")
15 motion to alter or amend judgment (Dkt. 102).

16 On July 12, 2017, the Court adopted the Report and Recommendation by the
17 Honorable David W. Christel, United States Magistrate Judge, granted Defendants'
18 motion to dismiss, and denied Harris leave to amend. Dkt. 101. The Court detailed the
19 extensive process of amendments leading to Harris's fourth amended complaint and the
20 prospect of allowing Harris a fifth opportunity to amend his complaint. *Id.* at 3–4.
21 Ultimately, the Court concluded that Harris had "failed to provide any argument or
22 explanation on how further amendment would cure his deficient claims." *Id.* at 4. In the

1 current motion, Harris contends that he now understands what he must do in order to state
2 a valid claim of conspiracy to poison him via his HIV medications. Dkt. 102. Harris's
3 current contentions do not overcome the Court's conclusion that granting leave to amend
4 a fifth time would be futile. *Salameh v. Tarsadia Hotel*, 726 F.3d 1124, 1133 (9th Cir.
5 2013) ("A district court's discretion to deny leave to amend is 'particularly broad' where
6 the plaintiff has previously amended."). Therefore, the Court **DENIES** Harris's motion.

7 **IT IS SO ORDERED.**

8 Dated this 25th day of September, 2017.

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BENJAMIN H. SETTLE
United States District Judge