

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DONALD C. HAYES,  
  
Plaintiff,  
  
v.  
  
STATE OF WASHINGTON,  
DEPARTMENT OF CORRECTIONS, et  
al.,  
  
Defendants.

CASE NO. C16-5095 BHS-DWC  
  
ORDER ADOPTING REPORT  
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable David W. Christel, United States Magistrate Judge. Dkt. 39. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The R&R is **ADOPTED**; and
- (2) Defendant Nurse Edwards is dismissed without prejudice for Plaintiff’s failure to prosecute.

Dated this 16th day of August, 2016.

  
BENJAMIN H. SETTLE  
United States District Judge