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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

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8 MICHAEL DENTON,

Plaintiff,

9 v.

10 PAUL A. PASTOR, et al.,

11 Defendants.

CASE NO. C17-5075 BHS-TLF

ORDER ADOPTING REPORT
AND RECOMMENDATION

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13 This matter comes before the Court on the Report and Recommendation (“R&R”)
14 of the Honorable Theresa L. Fricke, United States Magistrate Judge. Dkt. 202. The Court
15 having considered the R&R and the remaining record, and no objections having been
16 filed, does hereby find and order as follows:

- 17 (1) The R&R is **ADOPTED**;
- 18 (2) Defendants’ Objection and Motion to Strike, Dkt. 201, is **DENIED**;
- 19 (3) Defendants’ Motion for Summary Judgment, Dkt. 173, is **GRANTED in**
20 **part and DENIED in part** as follows;

21 a. Plaintiff’s due process claims against Defendants Jackson and Jones are

22 **DISMISSED without prejudice**;

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- b. Plaintiff’s claims against Defendants Rhoton, Caruso, James-Hutchinson, and Braswell-Bouyer are **DISMISSED without prejudice**;
- c. Plaintiff’s claims based on the one razor policy are **DISMISSED with prejudice**;
- d. Plaintiff’s access to courts claim is **DISMISSED with prejudice**;
- e. Defendants’ Motion for Summary Judgment, Dkt. 173, is **DENIED** as to all other claims;

(4) The referral to Judge Fricke is terminated, and the parties shall submit a joint status report no later than January 31, 2022 regarding trial length and availability.

Dated this 24th day of January, 2022.



 BENJAMIN H. SETTLE
 United States District Judge