

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JUSTON LEE ALDERMAN,

Plaintiff,

V.

PIERCE COUNTY PROSECUTOR'S  
OFFICE, et al,

## Defendants.

Case No. 3:17-cv-05171-RBL-TLF

## ORDER DISMISSING PLAINTIFF'S COMPLAINT

The Court, having reviewed the Report and Recommendation of Judge Theresa L. Fricke, United States Magistrate Judge and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation [Dkt. #9];
- (2) Plaintiff's amended complaint fails to state a claim upon which relief may be granted under 42 U.S.C. § 1983, because absolute prosecutorial immunity applies to the complaint on its face; and
- (3) Plaintiff's amended complaint, and therefore this action, hereby is DISMISSED with prejudice and without leave to amend.

Dated this 17<sup>th</sup> day of July, 2017.

Ronald B. Lightner

Ronald B. Leighton  
United States District Judge