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

10 PATRICIA STOGSDILL,

11 Plaintiff,

12 v.

13 NANCY A. BERRYHILL, Acting  
14 Commissioner of the Social Security  
Administration,

15 Defendant.

CASE NO. 3:17-CV-05180-RSM-JRC

REPORT AND RECOMMENDATION  
ON PLAINTIFF'S MOTION TO  
DISMISS

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17 This matter has been referred to United States Magistrate Judge J. Richard Creatura  
18 pursuant to 28 U.S.C. § 636(b)(1) and Local Magistrate Judge Rule MJR 4(a)(4), and as  
19 authorized by *Mathews, Secretary of H.E.W. v. Weber*, 423 U.S. 261, 271-72 (1976).

20 Plaintiff has filed a Motion to Dismiss (Dkt. 11) and defendant has filed no objection.  
21 *See* Dkt.

22 The Complaint was filed and the Summons were issued on March 14, 2017. Dkts. 3, 4.  
23 Defendant filed the Answer/Administrative Record on May 15, 2017. Dkt. 9. Plaintiff filed her  
24 Motion to Dismiss on June 13, 2017. Dkt. 11. The Declaration of Lindsey Craven in Support of

1 Motion to Dismiss verifies that plaintiff Patricia Stogsdill was advised of, and is in agreement  
2 with, dismissing this claim.

3 Based on plaintiff's motion and the declaration of counsel, and without objection from  
4 defendant, this Court recommends that the District Judge immediately approve this Report and  
5 Recommendation and order the case be **dismissed without prejudice. See Fed. R. Civ. P.**  
6 **41(a)(2).**

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8 Dated this 5th day of July, 2017.

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11 J. Richard Creatura  
12 United States Magistrate Judge  
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