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4 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
5 AT TACOMA

6 SHAWN DALE NANEZ,

7 Plaintiff,

8 v.

9 KAREN DANIELS,

10 Defendants.

Case No. C17-5663-RBL-TLF

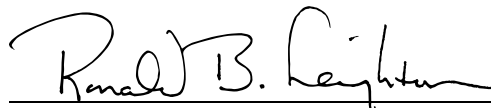
ORDER ADOPTING REPORT AND  
RECOMMENDATION

11 THIS MATTER is before the Court on the Report and Recommendation of Magistrate  
12 Judge Theresa L. Fricke [Dkt. #33], and the underlying record.

- 13 (1) The Report and Recommendation is **ADOPTED**.
- 14 (2) Defendants' motion for summary judgment is **GRANTED** and this action is  
15 **DISMISSED without prejudice for failure to exhaust administrative remedies**.
- 16 (3) If Nanez appeals, his in forma pauperis status will continue; and
- 17 (4) The Clerk of Court is directed to send copies of this Order to Plaintiff and to Judge  
18 Fricke.

19 IT IS SO ORDERED.

20 Dated this 22<sup>nd</sup> day of February, 2019.

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22 Ronald B. Leighton  
23 United States District Judge