

1 UNITED STATES DISTRICT COURT
2 WESTERN DISTRICT OF WASHINGTON
3 AT TACOMA

4 GARY CASTERLOW-BEY,

5 Plaintiff,

6 v.

7 DAVID A. ZEECK, et al.,

8 Defendants.

CASE NO. C17-5948 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

9 This matter comes before the Court on the Report and Recommendation (“R&R”)
10 of the Honorable Theresa L. Fricke, United States Magistrate Judge. Dkt. 8. The Court
11 having considered the R&R and the remaining record, and no objections having been
12 filed, does hereby find and order as follows:

13 (1) The R&R is **ADOPTED**;

14 (2) Plaintiff’s action is hereby **DISMISSED without prejudice** for failure to
15 state a claim upon which relief may be granted under 42 U.S.C. § 1983 and Plaintiff’s
16 motion to proceed *in forma pauperis* is **DENIED**.

17 Dated this 10th day of April, 2018.

18 

19 BENJAMIN H. SETTLE
20 United States District Judge