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

10 ANTHONY JAMES BUDD,

11 Plaintiff,

12 v.

13 CARLOS E RODRIGUEZ, et al.,

14 Defendants.

CASE NO. 3:17-CV-05992-RBL

ORDER ADOPTING REPORT AND
RECOMMENDATION

15 The Court, having reviewed the Report and Recommendation of Magistrate Judge J.
16 Richard Creatura, objections to the Report and Recommendation, if any, and the remaining
17 record, does hereby find and **ORDER:**

18 (1) The Court adopts the Report and Recommendation.

19 (2) Plaintiff has not paid the filing fee or filed an application to proceed *in forma*
20 *pauperis*. Plaintiff's action is dismissed without prejudice. He may refile his action at a later
21 date and include the filing fee or an application to proceed *in forma pauperis*.

22 **DATED** this 12th day of February, 2018.

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24 Ronald B. Leighton
United States District Judge