

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DONALD BANGO, et al.,

Plaintiffs,

v.

PIERCE COUNTY, WASHINGTON,

Defendant.

CASE NO. C17-6002 RBL

ORDER

THIS MATTER is before the Court on Magistrate Judge Christel’s Report and Recommendation [Dkt. #41], recommending that the Court grant Defendants’ Motion to Dismiss [Dkt. # 27]. The Court has also reviewed Plaintiffs’ objections [Dkt. # 42] to a portion of the R&R they claim is (incorrect) *dicta*.

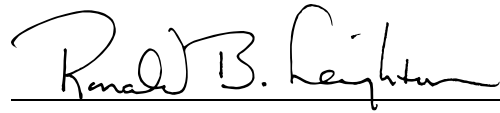
1. The Report and Recommendation regarding dismissal is **ADOPTED**, and plaintiffs’ complaint is **DISMISSED without prejudice**.
2. Plaintiffs’ objection to the *dicta* portion of the R&R (regarding entitlement post-incarceration medication under *Wakefield v. Thompson*, 177 F. 3d 1160 (9th Cir. 1999)) is well-taken, though as they concede it is not part the holding. This Court does *not adopt* that portion of the R & R.

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3. The Clerk shall send copies of this Order to Plaintiff, Defendants' counsel, and to United States Magistrate Judge Christel.

IT IS SO ORDERED.

Dated this 7th day of May, 2018.



Ronald B. Leighton
United States District Judge