

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

4 DEWAUN JAMES SWAN,

5 Plaintiff,

6 v.

7 PIERCE COUNTY JAIL, et al.,

8 Defendant.

CASE NO. C18-5310 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. 13. 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 complaint, Dkt. 11, is **DISMISSED without prejudice**; and
- 15 (3) The Clerk is directed to send copies of this Order to plaintiff, to  
16 Magistrate Judge Theresa L. Fricke, and to any other party that has  
17 appeared in this action.

18 Dated this 14<sup>th</sup> day of November, 2018.

19 

20 BENJAMIN H. SETTLE  
21 United States District Judge