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18HONORABLE RONALD B. LEIGHTON 2 3 4 5 6 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 7 AT TACOMA 8 GLEN GILBERT, CASE NO. C18-5421 RBL 9 Plaintiff, ORDER 10 v. 11 EDITH KROHA, 12 Defendant. 13 14 THIS MATTER is before the Court on Magistrate Judge Creatura's Report and 15 Recommendation [Dkt. #21]. 16 1. The Report and Recommendation is **ADOPTED**; 17 2. Defendant Kroha's Motion for Summary Judgment [Dkt. #18] is **GRANTED** and 18 Plaintiff Gilbert's claims against her are **DISMISSED** without prejudice, for failure to 19 exhaust administrative remedies; 20 3. If he appeals, Gilebert's in forma pauperis status will continue; 21 22 23 24

The Clerk shall send copies of this Order to Gilbert's last known address and to Magistrate Judge Creatura. Dated this 28th day of February, 2019. Ronald B. Leighton United States District Judge