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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RORY L. MICKENS,

Plaintiff,

v.

JAY INSLEE, et. al.,

Defendants.

CASE NO. 20-5259 RJB

ORDER ADOPTING REPORT AND
RECOMMENDATION AND
DISMISSING CASE

THIS MATTER comes before the Court on the Report and Recommendation of U.S. Magistrate Judge J. Richard Creatura. Dkt. 77. The Court has considered the Report and Recommendation and the remaining file. No objections were filed.

The Report and Recommendation (Dkt. 77) should be adopted, the Plaintiff's application to proceed *in forma pauperis* should be denied as moot, and the case dismissed without prejudice for failure to prosecute. As stated in the Report and Recommendation, the Plaintiff has failed to respond to the Court's orders. He has failed to complete his application to proceed *in forma*

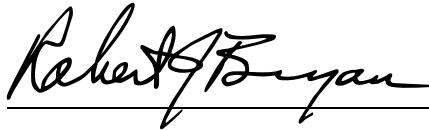
1 *pauperis* or pay the filing fee, or file a proposed amended complaint which states a claim for
2 relief.

3 **ACCORDINGLY, IT IS ORDERED THAT:**

- 4
- The Report and Recommendation (Dkt. 77) **IS ADOPTED**;
 - The Plaintiff's application to proceed *in forma pauperis* **IS DENIED AS MOOT**;
 - and
 - The case **IS DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

8 The Clerk is directed to send uncertified copies of this Order to U.S. Magistrate Judge J.
9 Richard Creatura, all counsel of record and to any party appearing *pro se* at said party's last
10 known address.

11 Dated this 5th day of April, 2021.

12 

13 ROBERT J. BRYAN
14 United States District Judge