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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT TACOMA

8 ARTHUR MCKINNON and ELISE  
9 MCKINNON,

10 Plaintiffs,

11 v.

12 WASHINGTON STATE  
13 DEPARTMENT OF CORRECTIONS,  
14 et al.,

15 Defendants.

CASE NO. 3:21-cv-05097-BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

16 This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable Michelle L. Peterson, United States Magistrate Judge, Dkt. 79. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby order as follows:

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18 (1) The R&R is **ADOPTED**;  
19 (2) Plaintiffs’ Motions for Voluntary Dismissal, Dkts. 75, 76, are **GRANTED**;  
20 (3) This action is **DISMISSED** without prejudice in accordance with Fed. R.  
21 Civ. P. 41(a)(2);  
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1 (4) All other pending motions, Dkts. 28, 39, 64, 77, are STRICKEN as moot;  
2 and

3 (5) The Clerk is directed to send copies of this Order to Plaintiff Arthur  
4 McKinnon, to all counsel of record, and to Judge Peterson.

5 Dated this 16th day of September, 2022.

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8 BENJAMIN H. SETTLE  
9 United States District Judge  
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