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

9 MATHEW COLLETT,

10 Plaintiff,

11 v.

12 KEVIN HASON, et al.,

13 Defendants.

CASE NO. 3:23-CV-6051-TMC-DWC


**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

14 Before the Court is the Report and Recommendation of Magistrate Judge David W.  
15 Christel. No party has filed objections. Having reviewed the Report and Recommendation and  
16 the remaining record, the Court finds and ORDERS:

- 17 (1) The Court adopts the Report and Recommendation.
- 18 (2) The Motion to Dismiss (Dkt. 22) and the Notice of Joinder (Dkt. 42) are granted-  
19 in-part and denied-in-part as follows:
- 20 a) Plaintiff's due process constitutional claims shall proceed against Defendants  
21 Mason County, Kevin Hanson, Shane Schoeneberg, Nurse Bree, and Diane  
22 Houlton.
  - 23 b) Defendant Healthcare Delivery Systems ("HDS") is dismissed.
  - 24 c) The ADA claim is dismissed.
  - d) The HDS Defendants' request that the Court find Plaintiff a vexatious litigant  
is denied.
- (3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for  
Defendants, and to the Hon. David W. Christel.

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**DATED** this 30th day of August, 2024.

  
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Tiffany M. Cartwright  
United States District Judge