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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

GENE ANDERSON,

Plaintiff,

v.

TOM ROLFS, et al.,

Defendant.

Case No. C97-5357RJB

ORDER DISMISSING ACTION
PURSUANT TO 28 U.S.C.
§1915(e)(2)(B) AND 28
U.S.C. §1915A(b)(1)

The Court, having reviewed plaintiff's complaint, the Report and Recommendation of Judge J. Kelley Arnold, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) The complaint and plaintiff's causes of action are DISMISSED WITHOUT PREJUDICE pursuant to 28 U.S.C. § 1915(e)(2)(B) and 28 U.S.C. §1915A(b)(1); and
- (3) The Clerk is directed dismiss this action pursuant to 28 U.S.C. §1915(e)(2)(B) and 28 U.S.C. §1915A(b)(1) and to send copies of this Order to plaintiff, to the Hon. J. Kelley Arnold, and to the Office of the Attorney General.

DATED this 5 day of Jan 1997.

Robert J. Bryan
ROBERT J. BRYAN
United States District Judge