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CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA  
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DEC 29 1997  
WESTERN DISTRICT OF WASHINGTON  
BY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

GENE D. ANDERSON,

Plaintiff,

v.

SGT. DAVIS, *et al.*,

Defendants.

Case No. C97-5354RJB

ORDER DISMISSING  
FRIVOLOUS COMPLAINT  
PURSUANT TO 28 U.S.C. §  
1915

The Court, having reviewed plaintiff's complaint, the Report and Recommendation of Magistrate Judge J. Kelley Arnold, objection to the report and recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Defendants' motion to dismiss is GRANTED;
- (3) Plaintiff's causes of action are DISMISSED as frivolous pursuant to 28 U.S.C. § 1915(e);
- (4) The Clerk is directed to terminate this action pursuant to 28 U.S.C. § 1915(e) and to count this as a dismissal under 28 U.S.C. § 1915(g);
- (5) The Clerk is further directed to send copies of this Order to plaintiff and to the Hon.

J. Kelley Arnold.

DATED this 29 day of Dec, 1997.

*Robert J. Bryan*  
Robert J. Bryan  
United States District Judge

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