

263808

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

TONY L. COVILLE,

Plaintiff,

v.

ALICE PAYNE,

Defendant.

Case No. C03-5478FDB

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

The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections 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) Plaintiff's complaint is DISMISSED;
- (3) 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); and
- (4) The Clerk is directed to send copies of this Order to plaintiff and to the Hon. Karen L. Strombom..

DATED this 18<sup>th</sup> day of December, 2003.

S/ Franklin D. Burgess  
Franklin D. Burgess  
United States District Judge