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 MAY 10 2000
 CLERK U.S. DISTRICT COURT
 WESTERN DISTRICT OF WASHINGTON AT TACOMA
 BY _____

UNITED STATES DISTRICT COURT
 WESTERN DISTRICT OF WASHINGTON
 AT TACOMA

LELAND A. JORDAN,

 Plaintiff,

v.

JOHN DOE, *et al.*,

 Defendant.

Case No. C00-5105RJB

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

THIS MATTER comes before the court on the Magistrate Judge's Report and Recommendation filed 17 April 2000 (Dkt. #7), and the plaintiff's Motion for Extension of Time to File Objections to Magistrate's Recommendation (Dkt. #8). The court is familiar with the records and files herein.

First, as to the Motion for Extension of Time to File Objections to Magistrate's Recommendations, the plaintiff requested leave to file his objections on 9 May. The objections were filed, and the court has considered them, and therefore, the Motion for Extension of Time should be granted.

In response to the filing of the Civil Rights Complaint (Dkt. #5), the Magistrate Judge issued an "Order Declining to Serve Complaint and Granting Leave to Amend," dated 8 March 2000 (Dkt.

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1 #6). In that order the Magistrate Judge advised plaintiff of deficiencies in his filing and gave him
2 until April 8, 2000 to file an amended complaint on the appropriate form. The Magistrate judge also
3 warned plaintiff that if an amended complaint was not timely filed, or if deficiencies identified in
4 the order were not corrected, that he would recommend dismissal of the case as frivolous. Plaintiff
5 did not respond to that order and has not filed an amended complaint. Therefore, on 17 April, the
6 Magistrate Judge issued his Report and Recommendation (Dkt. #7).

7 In his Objections to Magistrate Judge's Report and Recommendation, the plaintiff moved for
8 access to a law library and to a typewriter, and indicated that he wanted to add certain parties to the
9 case, and requested further leave to amend. The motions are not properly before the court, and the
10 objections to the Report and Recommendation do not address the deficiencies in the original filing,
11 nor do the objections amount to an amended complaint as referred to in the Magistrate Judge's 8
12 March order. While *pro se* parties should be allowed reasonable latitude, plaintiff here has made no
13 effort to correct the deficiencies in his original filing in spite of the fact that he has had ample time
14 to do so. He has not taken advantage of the advice contained in the Magistrate Judge's order and,
15 apparently, has not heeded the warnings therein.

16 Therefore, it is hereby **ORDERED** as follows:

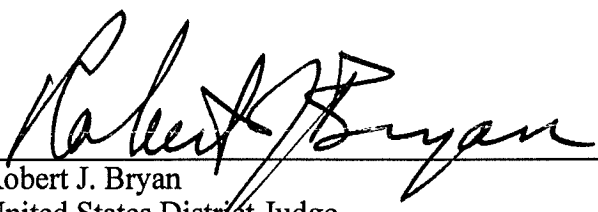
- 17 1. Plaintiff's Motion for Extension of Time to File Objections to Magistrate's
18 Recommendation is **GRANTED**, and the court has considered objections filed on 9
19 May 2000;
- 20 2. Motions contained in Plaintiff's Objections to Magistrate's Report and
21 Recommendation are **DENIED**;
- 22 3. The court **ADOPTS** the Report and Recommendation of the Magistrate Judge;
- 23 4. The Civil Rights Complaint by a Prisoner under 42 U.S.C. § 1983 is **DISMISSED**
24 **without prejudice** as frivolous for failure to state a claim pursuant to 28 U.S.C. §
25 1915(e)(2)(B) and 28 U.S.C. § 1915A(b)(1); and

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5. The Clerk is directed to **DISMISS** this action pursuant to 28 U.S.C. § 1915(e)(2)(B) and 28 U.S.C. § 1915A(b)(1).

The Clerk of the Court is instructed to send uncertified copies of this Order to Honorable J. Kelley Arnold, to the Office of the Attorney General, to all counsel of record and to any party appearing *pro se* at said party's last known address.

DATED this 10 day of May, 2000.


Robert J. Bryan
United States District Judge