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BY DEPUTY *MR*

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 CLERK U.S. DISTRICT COURT
 WESTERN DISTRICT OF WASHINGTON AT TACOMA
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 WESTERN DISTRICT OF WASHINGTON AT TACOMA
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UNITED STATES DISTRICT COURT
 WESTERN DISTRICT OF WASHINGTON
 AT TACOMA

NELSON MARTINASGARCIAS,

 Plaintiff,

 v.

 JIM BLODGETT, et al.,

 Defendants.

Case No. C99-5050RJB

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 with prejudice as frivolous and for failure to state a claim 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 25 day of Feb 1999.


 ROBERT J. BRYAN
 United States District Judge