

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WASHINGTON

Mario Lamont Harris v. Owen Kays-Erdmann, et al.

Harris · No. 2:25-cv-02409-LK · Decided January 26, 2026

SUMMARY

The United States District Court for the Western District of Washington adopted a magistrate judge's Report and Recommendation and dismissed Mario Lamont Harris's case without prejudice. The dismissal was based on Harris's failure to pay the filing fee or submit an application to proceed in forma pauperis, despite being directed to do so.

OPINION

Harris

PER CURIAM.

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UNITED STATES DISTRICT COURT

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WESTERN DISTRICT OF WASHINGTON

AT SEATTLE

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MARIO LAMONT HARRIS, CASE NO. 2:25-cv-02409-LK

11 Plaintiff, ORDER ADOPTING REPORT AND

12 v. RECOMMENDATION AND

DISMISSING CASE

13 OWEN KAYS-ERDMANN, et al., 14 Defendants. 15 16 This matter comes before the Court on the Report and Recommendation (“R&R”) of 17 Magistrate Judge Brian A. Tsuchida. Dkt. No. 5. Judge Tsuchida recommends that this Court 18 dismiss this case without prejudice because Plaintiff did not pay the filing fee or apply for in forma 19 pauperis (“IFP”) status. Id. at 1. The Clerk sent Plaintiff a letter directing him to pay the filing fee 20 or submit an IFP application by December 31, 2025 or the case may be dismissed. Dkt. No. 2. 21 Plaintiff did not do so. 22 The Court generally reviews findings and recommendations “if objection is made, but not 23 otherwise.” *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Because 24 Plaintiff did not file any objections, the Court adopts Judge Tsuchida’s R&R for the reasons 1 provided therein. Dkt. No. 5. The Court further notes that, after an independent assessment of the 2 record, it agrees with Judge Tsuchida that dismissal is warranted. 3 The Court therefore ADOPTS the Report and Recommendation, Dkt. No. 5, and dismisses 4 the case without

prejudice. The Clerk shall provide a copy of this Order to Plaintiff. 5 Dated this 26th day of January, 2026. 6 A 7 Lauren King United States District Judge 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24

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