

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

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