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## IN THE UNITED STATES DISTRICT COURT

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## FOR THE DISTRICT OF ARIZONA

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Cleveland Yarrow Cook,

No. CV11-2410 PHX DGC

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Plaintiff,

**ORDER**

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vs.

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Officer Sgt. Hawthorne, et al.,

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Defendants.

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Plaintiff Cleveland Yarrow Cook has filed a civil rights complaint pursuant to 28 U.S.C. § 1343(a) and 42 U.S.C. § 1983. Doc. 1. United States Magistrate Judge Mark E. Aspey has issued a report and recommendation (“R&R”) recommending that the complaint be dismissed without prejudice for Plaintiff’s failure to serve the Defendants in this matter and for Plaintiff’s failure to comply with the Court’s orders. Doc. 17. No objection has been filed, which relieves the Court of its obligation to review the R&R. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3); *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). The Court will accept the R&R and dismiss the complaint without prejudice.

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**IT IS ORDERED:**

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1. The R&R (Doc. 17) is **accepted**.

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2. The complaint (Doc. 1) is **dismissed without prejudice**.

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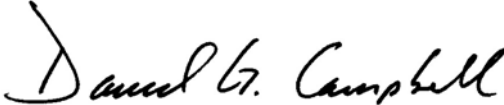
3. A certificate of appealability and leave to proceed *in forma pauperis* on appeal are **denied**

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4. The Clerk is directed to **terminate** this action.

Dated this 28th day of June, 2012.



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David G. Campbell  
United States District Judge