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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Johnny Angel Granado,
Plaintiff,
v.
David Shinn, et al.,
Defendants.

No. CV-20-02142-PHX-DJH (CDB)
ORDER

Pending before the Court is Plaintiff's Motion to Amend the Complaint (Doc. 28) and Magistrate Judge Bibles August 17, 2021 Report and Recommendation ("R&R") (Doc. 51).

Judge Bibles recommends that "should Defendants' motion for summary judgment at ECF No. 40 be denied, Plaintiff should be allowed 15 days from the date the order on the motion at ECF No. 40 is docketed to refile his motion to amend and the motion to amend be deemed timely." No objections were filed and the Court denied Defendants' motion for summary judgment on January 6, 2022 (Doc. 57). The Court will adopt the R&R but allow Plaintiff 15 days from this Order to refile his motion to amend. Accordingly,

IT IS ORDERED that the R&R (Doc. 51) is **adopted**, with one minor amendment, and Plaintiff's Motion to Amend (Doc. 28) is **denied** without prejudice.

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IT IS FURTHERED ORDERED that Plaintiff may refile his motion to amend within 15 days of this Order

Dated this 11th day of January, 2022.



Honorable Diane J. Humetewa
United States District Judge