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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Craig Robert Bogan,
Plaintiff,
vs.
Tom Sheahan; Mohave County Board of
Supervisors; Captain Brown; Byas; Officer
Giralde; Attorney General,
Defendants.

No. CV 06-2167-PCT-EHC-MEA
ORDER

On October 28, 2008, Magistrate Judge Mark E. Aspey issued a Report and Recommendation (“Recommendation”). (Dkt. 78). The Magistrate Judge recommends dismissal of this action without prejudice for Plaintiff’s failure to pay the filing fee. Petitioner did not file a Response or Objection to the Recommendation. A district court judge reviews a report and recommendation of a magistrate judge *de novo*. See 28 U.S.C. § 636(b)(1)(c) (stating that the district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge”). The Court, having

1 considered the record and the Recommendation of the Magistrate Judge, adopts the
2 Recommendation and incorporates the same as part of this Order.¹

3 Accordingly,

4 **IT IS ORDERED** adopting the Magistrate Judge's Report and Recommendation
5 (Dkt. 78).

6 **IT IS FURTHER ORDERED** that Plaintiff's case be **DISMISSED WITH**
7 **PREJUDICE** for failure to pay the filing fee.

8 **IT IS FURTHER ORDERED** that the Clerk of the Court shall enter judgment
9 accordingly and terminate this action.

10 DATED this 24th day of November, 2008.

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Earl H. Carroll
United States District Judge

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¹The first line in the Recommendation should read "Docket No. 18" rather than
28 "Docket No. 19." (See Dkt. 78, p. 1, l. 16 and Dkt. 18, p. 4, ll. 12-15.)