

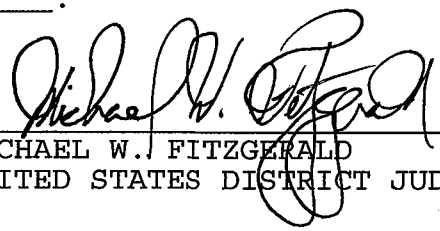
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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

BERNARD LEE SMITH,)	CASE NO. CV 07-864-MWF (PJW)
)	
Plaintiff,)	ORDER ACCEPTING REPORT AND
)	ADOPTING FINDINGS, CONCLUSIONS,
v.)	AND RECOMMENDATIONS OF UNITED
)	STATES MAGISTRATE JUDGE
JOHN MARSHALL,)	
)	
Defendant.)	

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Fifth Amended Complaint, the records on file, and the Report and Recommendation of United States Magistrate Judge. The Court has engaged in a *de novo* review of those portions of the Report to which Plaintiff has objected. The Court accepts the Report and adopts it as its own findings and conclusions.

DATED: May 29, 2013



 MICHAEL W. FITZGERALD
 UNITED STATES DISTRICT JUDGE