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8	UNITED STATES DISTRICT COURT	
9	CENTRAL DISTRICT OF CALIFORNIA	
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11	SHAWNE FLETCHER,) Case No. CV 07-4180 JHN(JC)
12	Plaintiff,	
13		 ORDER ADOPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS OF UNITED STATES MAGISTRATE
14		 UNITED STATES MAGISTRATE JUDGE
15	LEE BACA, et al.,	
16	Defendants.	
17)

Pursuant to 28 U.S.C. § 636, the Court has reviewed: (1) the First Amended Complaint; (2) the Motion for Summary Judgment, or in the Alternative, for Summary Adjudication or Partial Summary Judgment ("Summary Judgment Motion"), plaintiff's Response and Opposition to the Summary Judgment Motion¹ and plaintiff's February 26, 2009 "Motion for an Extention [sic] of Time" (collectively "Rule 56(f) Requests"), the Reply, all of the other documents submitted by the parties in connection with the foregoing matter; (3) defendant Lee

²⁶ ¹Plaintiff's Response is entitled: "In Re: Defendants['] Motion for Summary Judgment, 27 or in the Alternative Summary Adjudication or Partial Summary Judgment; Plaintiff's Request to the Court of F.R.C.P. Rule 56(f)." Plaintiff's Opposition is entitled: "Plaintiff[']s Answer to the 28 Defendants' Support Motion Concerning Plaintiff's Plea for F.R.C.P. 56(f)."

1 Baca's Motion to Dismiss the First Amended Complaint ("Motion to Dismiss"), 2 plaintiff's Opposition thereto, and defendant Baca's Reply; and (4) all of the records herein, including the attached Report and Recommendation of United States Magistrate Judge ("Report and Recommendation") and defendants' objections to the Report and Recommendation ("Objections"). The Court has further made a *de novo* determination of those portions of the Report and Recommendation to which objection is made. The Court concurs with and adopts the findings, conclusions, and recommendations of the United States Magistrate Judge, except that, as noted in the Objections which are sustained, the proper party to substitute in as a defendant is the County of Los Angeles, rather than the City of Los Angeles.

IT IS HEREBY ORDERED: (1) Plaintiff's Rule 56(f) Requests are denied; (2) the Summary Judgment Motion is granted to the extent it seeks summary judgment in favor of defendant Baca in his individual capacity; (3) the Motion to Dismiss is granted to the extent it seeks dismissal of the First Amended Complaint against defendant Baca in his official capacity; (4) the County of Los Angeles is substituted in as a defendant in the stead of defendant Baca in his official capacity; and (5) the County of Los Angeles shall file a response to the First Amended Complaint as directed by the United States Magistrate Judge.

IT IS FURTHER ORDERED that the Clerk serve copies of this Order and the Report and Recommendation on plaintiff and on defendants' counsel.

IT IS SO ORDERED.

DATED: December 6, 2010

in HONORABLE JACQUELINE H. NGUYEN UNITED STATES DISTRICT JUDGE