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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

TYRONE D. NEWMAN, #V-29771) Case No. CV 09-4160-JVS(RC)

Plaintiff,)

vs.)

ORDER ADOPTING AMENDED REPORT AND
RECOMMENDATION OF UNITED STATES

COUNTY OF VENTURA, VENTURA)
COUNTY SHERIFF'S DEPARTMENT,)
CALIFORNIA FORENSIC MEDICAL)
GROUP INC., ANNA GARCIA R.N.,)
DANNY CALDERON AND DOES 1-4,)

Defendants.)

The Court has made a de novo determination, after reviewing the amended complaint and other papers along with the attached Amended Report and Recommendation of United States Magistrate Judge Rosalyn M. Chapman and inferring plaintiff has no objection to the Amended Report and Recommendation since he has lodged the Second Amended Complaint.

IT IS ORDERED that:

(1) The Amended Report and Recommendation IS APPROVED AND ADOPTED;

1 (2) defendants' motions for a more definite statement IS
2 DENIED;

3 (3) plaintiff's motion to supplement his First Amended
4 Complaint to add a table of contents IS DENIED;

5 (4) defendants' motions to dismiss all Ninth Amendment claims
6 IS GRANTED, and these claims are dismissed with prejudice;

7 (5) defendants' motion to dismiss all equal protection of law
8 claims IS GRANTED, and these claims are dismissed with prejudice;

9 (6) defendants' motion to dismiss Claims Three, Four, Nine and
10 Twelve IS GRANTED, and these claims are dismissed with prejudice
11 and plaintiff is prohibited from repleading these claims, and all
12 claims against defendants Anna Garcia R.N. and Doe no. 4 are
13 dismissed;

14 (7) defendants' motion to dismiss Claims One, Two, Five
15 through Eight, Ten, Eleven, and Thirteen through Sixteen IS GRANTED
16 with leave to amend, and plaintiff shall, if he chooses to pursue
17 these claims, file a Second Amended Complaint correcting the
18 deficiencies noted herein and raising **only** these claims; and

19 (8) defendants' motion to dismiss plaintiff's supplemental
20 state law claims IS GRANTED, and these claims are dismissed without
21 prejudice.
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1 IT IS FURTHER ORDERED that the Clerk shall serve copies of
2 this Order and the Magistrate Judge's Amended Report and
3 Recommendation by the United States mail on plaintiff.

4 DATED: March 26, 2010



JAMES V. SELNA
UNITED STATES DISTRICT JUDGE

7 R&R\09-4160.ADO3 - 3/24/10

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