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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

12 RICHARD POIRIER,  
13 Plaintiff,  
14 vs.  
15 CITY OF NORTH HOLLYWOOD,  
16 et al.,  
17 Defendants.

Case No. CV 11-2030-JVS (RNB)


ORDER ACCEPTING FINDINGS  
AND RECOMMENDATIONS  
OF UNITED STATES  
MAGISTRATE JUDGE

18 Pursuant to 28 U.S.C. § 636, the Court has reviewed all the records on  
19 file and the Report and Recommendation of the United States Magistrate Judge. No  
20 objections to the Report and Recommendation have been filed herein. The Court  
21 accepts the findings and recommendations of the Magistrate Judge.

22 IT THEREFORE IS ORDERED that (1) plaintiff's § 1981 claims, state  
23 law claims, § 1983 malicious prosecution claim, § 1983 First Amendment claim, §  
24 1983 claims against defendants Collins and John Doe, and § 1983 claims against the  
25 three named entity defendants are dismissed with prejudice; and (2) if plaintiff still  
26 desires to pursue this action, he is ordered to file within twenty-eight (28) days a  
27 Third Amended Complaint limited to his § 1983 Fourth Amendment claims against  
28 defendants Vasquez and Ochoa in their individual capacities.

1 Plaintiff is admonished that, if he fails to timely file a Third Amended  
2 Complaint limited to his § 1983 Fourth Amended claims against defendants Vasquez  
3 and Ochoa in their individual capacities, this action will be subject to dismissal for  
4 failure to prosecute and/or failure to comply with a Court order.

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6 DATED: 11.28.11

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8 JAMES V. SELNA  
9 UNITED STATES DISTRICT JUDGE  
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