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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

ANDRE ANDREWS,	)	No. CV 11-08263-MWF (VBK)
	)	
Plaintiff,	)	ORDER (1) ACCEPTING THE FINDINGS
	)	AND RECOMMENDATIONS OF THE UNITED
v.	)	STATES MAGISTRATE JUDGE, AND (2)
	)	DENYING IN PART DEFENDANTS'
OSCAR DOMINGUEZ, et al.,	)	MOTION TO DISMISS WITH RESPECT TO
	)	PLAINTIFF'S FIRST CLAIM AGAINST
Defendants.	)	DEFENDANT OFFICER DOMINGUEZ AND
	)	GRANTING IN PART WITH RESPECT TO
	)	DISMISSING PLAINTIFF'S SECOND AND
	)	THIRD CLAIMS WITHOUT LEAVE TO
	)	AMEND
	)	

Pursuant to 28 U.S.C. §636, the Court has reviewed the First Amended Complaint and all other papers along with the attached Report and Recommendation of the United States Magistrate Judge, and has made a de novo determination of the Report and Recommendation.

**IT IS THEREFORE ORDERED** that an Order be entered (1) accepting the findings of the United States Magistrate Judge; (2) directing that Defendants' Motion to Dismiss be granted in part with respect to dismissing Plaintiff's second and third claims without leave to amend

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1 and denied with respect to Plaintiff's first claim against Defendants;  
2 and (3) that Defendants file an Answer to the First Amended Complaint  
3 within 20 days of date of this Order.

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6 DATED: January 29, 2013

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8 MICHAEL W. FITZGERALD  
9 UNITED STATES DISTRICT JUDGE  
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