

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

LEON BANKS,

Plaintiff,

v.

D. LEOS, *et al.*,

Defendants.

Case No. LA CV 13-0710 AG (JCG)

**ORDER ACCEPTING REPORT AND  
RECOMMENDATION OF UNITED  
STATES MAGISTRATE JUDGE**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Complaint, the Magistrate Judge’s Report and Recommendation, and the remaining record. No objections to the Report and Recommendation have been filed.

//

//

//

1 Accordingly, IT IS ORDERED THAT:


- 2 1. The Report and Recommendation is approved and accepted;
- 3 2. Defendant's Motion is granted in part, only on the grounds that Plaintiff
- 4 has failed to exhaust his administrative remedies;
- 5 3. Judgment be entered dismissing this action without prejudice;
- 6 4. The Clerk serve copies of this Order and the Judgment on the parties.

7 

8 DATED: March 26, 2017

9 \_\_\_\_\_  
10 HON. ANDREW J. GUILFORD  
11 UNITED STATES DISTRICT JUDGE

12  
13 Presented by:

14  
15  
16   
17 \_\_\_\_\_  
18 Hon. Jay C. Gandhi  
19 United States Magistrate Judge

20  
21  
22  
23  
24  
25  
26  
27  
28