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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

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|--------------------------|-----------------------------|
| THOMAS LEE GLEASON, JR., | } No. CV 15-08380-CBM (DFM) |
| Plaintiff,               |                             |
| v.                       |                             |
| L. FRANKLIN et al.,      |                             |
| Defendants.              |                             |

Order Accepting Report and  
Recommendation of United States  
Magistrate Judge

Pursuant to 28 U.S.C. § 636(b)(1), the Court has reviewed the Complaint, the parties' motion and opposition papers, the records on file, and the Report and Recommendation of the assigned United States Magistrate Judge. The Court has also reviewed Plaintiff's written objections to the Report and Recommendation and made a de novo determination of those portions of the Report and Recommendation to which objections are made.

IT IS HEREBY ORDERED that:

1. The Report and Recommendation is approved and accepted.
2. Defendant Curiel, Franklin, Jackson, Marshall, Sullivan, and

Wofford's Motion to Dismiss is DENIED in part and GRANTED in part as

1 set forth in the Report and Recommendation.


2 3. Hughes's Motion to Dismiss and Buechter's Motion to Dismiss  
3 are DENIED.

4 4. The portion of Claim One alleging that Franklin retaliated against  
5 Plaintiff for his threat to file a grievance against Franklin is hereby  
6 DISMISSED without leave to amend.

7 5. Claim Four as to Sullivan and Jackson is hereby DISMISSED  
8 with leave to amend.

9 6. Plaintiff is ORDERED to file a First Amended Complaint no later  
10 than August 28, 2017.

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12 Dated: July 26, 2017

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15 CONSUELO B. MARSHALL  
16 United States District Judge  
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