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

NINH DINH PHAM,  
  
Plaintiff,  
  
v.  
  
SHERIFF OFFICER STARKEY, et  
al.,  
  
Defendants.

Case No. CV 16-05959 ODW (RAO)

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

Pursuant to 28 U.S.C. § 636, the Court has reviewed the First Amended Complaint, the motion to dismiss (“Motion”) filed by Defendant Delanie Hicks, all of the other records and files herein, and the Interim Report and Recommendation of United States Magistrate Judge (“Report”). Further, the Court has engaged in a *de novo* review of those portions of the Report to which Plaintiff has objected.<sup>1</sup> The Court hereby accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge.

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<sup>1</sup> Plaintiff filed objections to the Report (Dkt. No. 41), to which Defendant filed a response (Dkt. No. 42). Plaintiff subsequently filed a reply to Defendant’s response (Dkt. No. 43), which was not authorized by the Magistrate Judge, this Court, the Federal Rules of Civil Procedure, or this District’s Local Rules. Regardless, Plaintiff’s arguments are duplicative of those he has made elsewhere, and they do not alter the Court’s conclusions.

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Accordingly, IT IS ORDERED that Defendant Hicks's Motion is GRANTED and Plaintiff's claims against Defendant Hicks are hereby dismissed with prejudice and without leave to amend.



DATED: April 25, 2017

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OTIS D. WRIGHT II  
UNITED STATES DISTRICT JUDGE