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8	UNITED STATES DISTRICT COURT	
9	CENTRAL DISTRICT OF CALIFORNIA	
0	WESTERN DIVISION	
1	SYLEE CASTLE,	Case No.: CV 16-09411-JVS (JDE)
2	Plaintiff,)) ORDER ACCEPTING FINDINGS
3	V.	AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE
4	J. TEANEY, et al.,	
5	Defendants.	
6)

Pursuant to 28 U.S.C. § 636, the Court has reviewed the records on file, including the Complaint filed by Plaintiff Sylee Castle ("Plaintiff"), the Motion to Dismiss filed by defendants J. Teaney and J. Black ("Defendants") and the Opposition and Reply briefs relating thereto, and the Report and Recommendation of the assigned United States Magistrate Judge and the Objection thereto filed by Plaintiff. Further, the Court has engaged in a <u>de</u> <u>novo</u> review of those portions of the Report and Recommendation to which objections have been made.

IT IS HEREBY ORDERED that:

- 1. The Report and Recommendation is approved and accepted;
- 2. The Motion to Dismiss (Dkt. No. 35) is GRANTED with leave to

amend; and

3. If Plaintiff desires to continue to pursue this action, he shall file a First Amended Complaint within 30 days of the date of this Order. Plaintiff is advised that failure to timely file a First Amended Complaint may result in a dismissal of this action with prejudice for failure to prosecute. Plaintiff is further advised that a failure to remedy the deficiencies identified in the Report and Recommendation in any First Amended Complaint could result in a dismissal of the action without leave to amend and with prejudice.

Dated: November 20, 2017

JAMES V. SELNA United States District Judge