1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION 10 11 ROMAINE L. NEVELS, NO. CV 17-6434-JVS (AS) 12 Plaintiff, ORDER ACCEPTING FINDINGS, 13 CONCLUSIONS AND RECOMMENDATIONS OF v. 14 UNITED STATES MAGISTRATE JUDGE DEBBIE ASCUNION, et. al., 15 Defendants. 16 17 18 19 Pursuant to 28 U.S.C. section 636, the Court has reviewed the Third 20 Amended Complaint, all of the records herein, and the Report and 21 Recommendation of United States Magistrate Judge to which no objections 22 were filed. Accordingly, the Court concurs with and accepts the 23 findings and conclusions of the Magistrate Judge in the Report and 24 Recommendation. 25 26 27 28

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IT IS ORDERED that:

- (1) Plaintiff's Third Amended Complaint is DISMISSED WITH PREJUDICE and WITHOUT LEAVE TO AMEND against Defendant Ascunion; and
- (2) Plaintiff's Third Amended Complaint will proceed against Defendants Avalos, Barbatos, and Im.

IT IS FURTHER ORDERED that the Clerk serve copies of this Order on Plaintiff at his current address of record.

DATED: August 16, 2018

JAMES V. SELNA UNITED STATES DISTRICT JUDGE