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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JESSE WASHINGTON,
Plaintiff
v.
J. GASTELO, et al.,
Defendants.

Case No. 2:21-cv-04502-DOC-JEM

**ORDER ACCEPTING FINDINGS
AND RECOMMENDATIONS OF
UNITED STATES MAGISTRATE
JUDGE**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the pleadings and records on file in this case, including the operative Complaint (Dkt. 1), Defendants' Motion to Dismiss (Dkt. 31) ("Motion"), the Report and Recommendation of the assigned United States Magistrate Judge (Dkt. 37), and Plaintiff Jesse Washington's Objection to the Report and Recommendation (Dkt. 39). Having completed its review, the Court accepts the findings and recommendations set forth in the Report and Recommendation.

Defendant's Motion to Dismiss is granted on the basis that the facts alleged do not establish a constitutional violation and, even if a constitutional violation occurred, Defendants are entitled to qualified immunity.

Accordingly, **IT IS ORDERED** that:

- (1) The Magistrate Judge's Report and Recommendation is accepted;

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- (2) Defendants' Motion (Dkt. 31) is GRANTED;
- (3) This action is dismissed without leave to amend; and
- (4) Judgment shall enter accordingly.

DATE: March 14, 2023



DAVID O. CARTER
UNITED STATES DISTRICT JUDGE