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

NEIL BREITBARD,
Plaintiff,
v.
CALIFORNIA DEPARTMENT OF
CORRECTIONS AND
REHABILITATION, et al.,
Defendants.

Case No. CV 22-0653 JAK (PVC)

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

Pursuant to 28 U.S.C. § 636, the Court has reviewed the First Amended Complaint, all the records and files herein, and the Amended Report and Recommendation of the United States Magistrate Judge. The time for filing Objections to the Amended Report and Recommendation has passed and no Objections have been received. Accordingly, the Court accepts and adopts the findings, conclusions and recommendations of the Magistrate Judge.

IT IS ORDERED that the First Amended Complaint is dismissed. Judgment shall be entered dismissing this action without prejudice pursuant to the doctrine announced in *Heck v. Humphrey*, 512 U.S. 477 (1994).

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

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: August 2, 2022



JOHN A. KRONSTADT
UNITED STATES DISTRICT JUDGE