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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

DAVID LACK,  
Plaintiff  
v.  
DR. POSNER, et al.,  
Defendants.

Case No. 2:22-cv-02955-RGK (GJS)

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

Pursuant to 28 U.S.C. § 636, the Court has reviewed the First Amended Complaint [Dkt. 5], all relevant documents filed and lodged in this action, the motion to dismiss filed by Defendants Judge Thomas P. Anderle, Judge Clifford R. Anderson, III, Judge Michael Carrozzo, and Judge Jean M. Dandona [Dkt. 32, “Judicial Defendants Motion”] and the related briefing and filings by the parties [Dkts. 33, 58, and 61], the motion to dismiss filed by Defendant Robert Sanger [Dkts. 41-42, “Sanger Motion”], the motion to dismiss filed by Defendants C. Koenig, D. Moeller, S. Posson, and R. Skipper-Dota [Dkt. 51, the “CDCR Motion”] and related briefing and filings by the parties [Dkts. 63, 66], the Report and Recommendation of United States Magistrate Judge [Dkt. 68, “Report”], Plaintiff’s Objection to the Report [Dkt. 69], and Defendant Sanger’s Reply [Dkt. 71].


1 Pursuant to 28 U.S.C. § 636(b)(1)(C) and Fed. R. Civ. P. 72(b), the Court has  
2 conducted a de novo review of those portions of the Report to which objections have  
3 been stated.

4 The Court has carefully considered all of the arguments raised in the  
5 Objection to the Report. Having completed its review, the Court accepts the  
6 findings, conclusions, and recommendations set forth in the Report.

7 Accordingly, **IT IS ORDERED** that: the Judicial Defendants Motion, the  
8 Sanger Motion, and the CDCR Defendants Motion are GRANTED; the First  
9 Amended Complaint is dismissed without leave to amend and with prejudice as to  
10 Claims I, II, III, V, and VI and Defendants Judge Thomas P. Anderle, Judge Clifford  
11 R. Anderson, III, Judge Michael Carrozzo, Judge Jean M. Dandona, Robert Sanger,  
12 Neil Levinson, C. Koenig, D. Moeller, S. Posson, and R. Skipper-Dota, and without  
13 prejudice as to Claim IV and Defendants Brian Cota, Jeff Sanger, Santa Barbara  
14 Sheriff Moennro [sic], CTF Prison Transportation, CTF Prison Doctor John Doe,  
15 and two John Doe Defendants alleged to be Santa Barbara Sheriff's Department  
16 Deputies; and Judgment shall be entered dismissing this action with and without  
17 prejudice.

18 **LET JUDGMENT BE ENTERED ACCORDINGLY.**

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20 DATE: June 1, 2023

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23 R. GARY KLAUSNER  
24 UNITED STATES DISTRICT JUDGE  
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