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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

HIRAM BRINSON, Plaintiff, v. LARRY GORDON, et al., Defendants.	NO. ED CV 11-0869 VBF (FMO) **ORDER ACCEPTING FINDINGS, CONCLUSIONS AND RECOMMENDATIONS OF UNITED STATES MAGISTRATE JUDGE**

Pursuant to 28 U.S.C. § 636, the Court has conducted a de novo review of the Second Amended Complaint, all of the records herein, and the Report and Recommendation of the United States Magistrate Judge. No Objections have been filed to the Report and Recommendation. The Court approves and accepts the Magistrate Judge's Report and Recommendation. Accordingly, IT IS ORDERED THAT:

1. Judgment shall be entered dismissing Claims Two and Three without prejudice and without leave to amend.

2. Judgment shall be entered dismissing Claims Four and Five with prejudice and without leave to amend.

3. The Clerk shall serve copies of this Order and the Judgment on all parties.

DATED: November 1, 2012.

Valerie Baker Fairbank

VALERIE BAKER FAIRBANK
UNITED STATES DISTRICT JUDGE

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