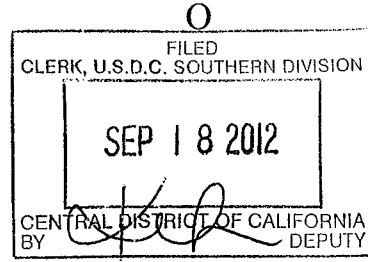


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I HEREBY CERTIFY THAT THIS DOCUMENT WAS SERVED BY FIRST CLASS MAIL, POSTAGE PREPAID, TO ALL COUNSEL (OR PARTIES) AT THEIR RESPECTIVE MOST RECENT ADDRESS OF RECORD IN THIS ACTION ON THIS DATE.

DATED: 9-18-12  
[Signature]  
DEPUTY CLERK

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

PENNY PELTIER-OCHOA,

Plaintiff,

vs.

KENNETH J. MIELE, et al.,

Defendants.

Case No. EDCV 12-0663-JAK (RNB)

ORDER ACCEPTING FINDINGS  
AND RECOMMENDATIONS  
OF UNITED STATES  
MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the pleadings, records on file, and the Report and Recommendation of the United States Magistrate Judge. On September 11, 2012, plaintiff filed a document captioned "Plaintiff's Motion to Strike Report and Recommendation of United States Magistrate Judge" which the Court construes as plaintiff's objections to the Report and Recommendation. Having made a de novo review of those portions of the Report and Recommendation to which objections have been made, the Court accepts the findings and recommendations of the Magistrate Judge.

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1 IT THEREFORE IS ORDERED that (1) Commissioner Durand-  
2 Barkley's Motion to Dismiss is granted; and (2) plaintiff's claims against  
3 Commissioner Durand-Barkley are dismissed without leave to amend.  
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5 DATED: September 17, 2012

  
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7 JOHN A. KRONSTADT  
8 UNITED STATES DISTRICT JUDGE  
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