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8	UNITED STATES DISTRICT COURT	
9	CENTRAL DISTRICT OF CALIFORNIA	
10	EASTERN DIVISION	
11	SAMUEL MARTINEZ,	No. ED CV 13-01064-DMG (DFM)
12	Plaintiff,	 Order Accepting Report and Recommendation of United States Magistrate Judge
13	v.	
14	SALVADOR VILLALON, et al.,	
15	Defendants.	
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17)
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Pursuant to 28 U.S.C. § 636, the Court has reviewed the Third Amended Complaint, the motion and opposition papers, the records on file, and the Report and Recommendation of the assigned United States Magistrate Judge. Further, the Court has engaged in a <u>de novo</u> review of those portions of the Report and Recommendation to which objections have been made. The Court accepts the findings and recommendation of the Magistrate Judge. THEREFORE, IT IS HEREBY ORDERED that:

Defendants' motion for summary judgment is granted.

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2. Plaintiff's unexhausted claim that Defendant Deveza violated his constitutional rights by "tricking" him into withdrawing his 2010 grievance is dismissed without prejudice.

3. Plaintiff's remaining claims are dismissed with prejudice.

4. Judgment shall be entered dismissing this case accordingly.

DATED: September 19, 2017

DOLLY M. GEE United States District Judge