

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

| | | |
|------------------------------|---|--------------------------------|
| MARTIN RICHARD PEMSTEIN, |) | NO. SACV 11-00016-JAK (MAN) |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | ORDER ACCEPTING FINDINGS |
| |) | |
| STATE OF CALIFORNIA, et al., |) | AND RECOMMENDATIONS OF |
| |) | |
| Defendants. |) | UNITED STATES MAGISTRATE JUDGE |
| _____ |) | |

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Complaint, the motion to dismiss the Complaint filed by defendant Attorney General of the State of California ("Motion"), all of the records herein, and the Report and Recommendation of United States Magistrate Judge ("Report"). The time for filing Objections to the Report has passed and no Objections have been received. The Court accepts the findings and recommendations set forth in the Report.

///
///
///
///

1 IT IS ORDERED that: (1) the Motion is granted pursuant to Rule
2 12(b)(6) of the Federal Rules of Civil Procedure; (2) the Complaint is
3 dismissed without leave to amend; and (3) Judgment shall enter
4 dismissing this action without prejudice.

5
6 DATED: April 3, 2012.

7
8 

9 _____
10 JOHN A. KRONSTADT
11 UNITED STATES DISTRICT JUDGE
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28