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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 SOUTHERN DIVISION
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12 NICHOLAS PATRICK,

13 Plaintiff,

14 v.

15 COSTA MESA POLICE DEP'T, et al.,

16 Defendants.
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No. SA CV 16-318-DMG (PLA)

**ORDER ACCEPTING FINDINGS,
CONCLUSIONS, AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

18 On June 1, 2017, the United States Magistrate Judge issued a Report and
19 Recommendation in this action, recommending that the action be dismissed without further leave
20 to amend and with prejudice for failure to state a claim. [Doc. # 46.] On June 26, 2017, Plaintiff
21 filed his Objections to the Report and Recommendation. [Doc. # 47.]


22 To the extent Plaintiff, in his Objections, seems to be seeking -- for the first time -- an
23 opportunity to amend his *Fourth* Amended Complaint because he now understands that the
24 actions of some defendants may have violated the Prison Rape Elimination Act ("PREA") (see
25 Objections at 1-2), the Act does not create a private right of action. Bell v. Cty. of L.A., 2008 WL
26 4375768, at *6 (C.D. Cal. Aug. 25, 2008) (citations omitted); Olive v. Harrington, 2016 WL
27 4899177, at *4 (E.D. Cal. Sept. 14, 2016).
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1 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Complaint, the other records on
2 file herein, the Magistrate Judge's Report and Recommendation, and Plaintiff's Objections to the
3 Report and Recommendation. The Court has engaged in a de novo review of those portions of
4 the Report and Recommendation to which objections have been made. The Court accepts the
5 recommendations of the Magistrate Judge.

6 ACCORDINGLY, IT IS ORDERED:

- 7 1. The Report and Recommendation is accepted;
8 2. Judgment shall be entered consistent with this Order; and
9 3. The Clerk shall serve this Order and the Judgment on all counsel or parties of
10 record.

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12 DATED: September 25, 2017


DOLLY M. GEE
UNITED STATES DISTRICT JUDGE