

1 failure to state a claim).

2 Accordingly, it is HEREBY ORDERED that:

- 3 1. This action proceeds on Plaintiff's complaint, filed September 5, 2008, against
4 Defendants Devine, Ahlin and Fields for violation of the First Amendment and the
5 Religious Land Use and Institutionalized Persons Act (RLUIPA);
- 6 2. Defendants Department of Mental Health, Mayberg, Radavsky and Clark are
7 dismissed based on Plaintiff's failure to state any claims against him.
- 8 3. Plaintiff's supervisory liability claim against Defendant Ahlin is dismissed.
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11 IT IS SO ORDERED.

12 **Dated: July 21, 2010**

/s/ Gary S. Austin
13 UNITED STATES MAGISTRATE JUDGE

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