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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

TONYA D. ENGELBRECHT,

Plaintiff,

v.

KELLY RIPA,

Defendant.

Case No. 1:17-cv-01339-LJO-EPG

**ORDER DENYING MOTION FOR  
RECONSIDERATION**

(ECF No. 12)

Tonya D. Engelbrecht ("Plaintiff") filed a motion for reconsideration, ECF No. 12, of this Court's August 17, 2018 Order adopting, ECF No. 10, findings and recommendations (F&Rs) recommending dismissal of all but Plaintiff's breach of contract claim. *See* ECF No. 8. Nothing in the motion for reconsideration warrants a different outcome. As the F&Rs explained, there is no private right of action for a claim of "torture" under the California Penal Code. Likewise, the F&Rs explained that Plaintiff failed to state a claim for defamation with sufficient specificity after having been given an opportunity to amend. She no more specifies the nature of this claim in her motion for reconsideration. The motion for reconsideration is DENIED.

IT IS SO ORDERED.

Dated: September 13, 2018

/s/ Lawrence J. O'Neill  
UNITED STATES CHIEF DISTRICT JUDGE