

1 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this court has conducted a
2 *de novo* review of the case. Having carefully reviewed the entire file, including defendants'
3 objections, the court finds the findings and recommendations to be supported by the record and
4 by proper analysis.

5 Accordingly,

- 6 1. The findings and recommendations issued on March 11, 2022 (Doc. No. 31) are
7 adopted in full;
- 8 2. Defendants' motion to dismiss (Doc. No. 23) is granted in part;
- 9 3. Plaintiff's request for declaratory relief is dismissed, without prejudice to plaintiff
10 filing a motion for leave to amend if a request for declaratory relief becomes necessary;
- 11 4. Defendants' motion to dismiss is denied as to the request to dismiss plaintiff's
12 claim because they are entitled to qualified immunity;
- 13 5. Defendants' motion to dismiss is denied as to the request to dismiss plaintiff's
14 request for punitive damages; and
- 15 6. Defendants' request for judicial notice is denied.

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18 IT IS SO ORDERED.

19 Dated: September 13, 2022

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22 UNITED STATES DISTRICT JUDGE
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