

1 file objections has passed and no objections have been filed by either party.

2 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this
3 Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the
4 Court finds the findings and recommendations to be supported by the record and proper analysis.

5 Accordingly, IT IS ORDERED that:

- 6 1. The findings and recommendations issued on February 10, 2023, (ECF No. 17),
7 are ADOPTED in full;
- 8 2. Defendant's motion to dismiss, (ECF No. 8), is GRANTED to the extent that it
9 seeks dismissal of Plaintiff's claims but is DENIED to the extent that it seeks
10 dismissal with prejudice;
- 11 3. Plaintiff's complaint is DISMISSED with leave to amend; and
- 12 4. Plaintiff is directed to file an amended complaint within thirty (30) days after the
13 entry of this order. Plaintiff's failure to timely do so may result in the dismissal of
14 this case.

15

16

17 IT IS SO ORDERED.

18 Dated: April 4, 2023

19


UNITED STATES DISTRICT JUDGE

20

21

22

23

24

25

26

27

28