

1 analysis to the extent they conclude Plaintiff has failed to state a claim under 42 U.S.C. § 1983.

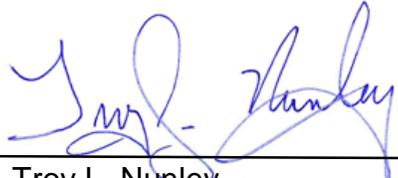
2 The Magistrate Judge further concluded it did not appear possible that the deficiencies
3 identified in the findings and recommendations can be cured by amending the complaint.

4 However, Plaintiff's objections identify the persons he intends to name as defendants if given the
5 opportunity amend and suggest he might be able to cure these deficiencies. Therefore, the Court
6 grants Plaintiff leave to file an amended complaint. *Lopez v. Smith*, 203 F.3d 1122, 1126, 1130–
7 31 (9th Cir. 2000) (en banc).

8 Accordingly, IT IS HEREBY ORDERED that:

- 9 1. The findings and recommendations filed February 3, 2017, are adopted in full,
10 except as provided in this Order;
- 11 2. The complaint is dismissed for failure to state a claim;
- 12 3. All pending motions (ECF Nos. 10 and 17) are denied as moot; and
- 13 4. Plaintiff shall file an amended complaint within 60 days.

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15 Dated: March 31, 2017

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19 Troy L. Nunley
20 United States District Judge
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