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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed January 28, 2021, are adopted in full;
2. Plaintiff's first amended complaint (ECF No. 11) is dismissed without leave to amend for failure to state a claim; and
3. The Clerk of Court is directed to close the case.

DATED: April 30, 2021

/s/ John A. Mendez
THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE