

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JOSIE HOWARD LANTRY,
Plaintiff,
v.
GREYSTAR REAL ESTATE PARTNERS,
Defendant.

Case No. 17-CV-05267-LHK
**ORDER ADOPTING REPORT AND
RECOMMENDATION AND
DISMISSING WITHOUT LEAVE TO
AMEND**
Re: Dkt. No. 5

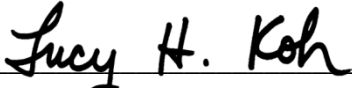
United States Magistrate Judge Howard R. Lloyd has made a Report and Recommendation that the District Judge dismiss Plaintiff’s complaint without leave to amend pursuant to 28 U.S.C. § 1915(e)(2)(B) because it is frivolous and because it fails to state a claim upon which relief may be granted. ECF No. 5. The Report and Recommendation was filed and served on September 19, 2017. No objections have been filed, and the time to file objections has expired. See Fed. R. Civ. P. 72(b)(2).

Having reviewed the Report and Recommendation, as well as the record in this case, the Court finds that the Report and Recommendation is well-founded in fact and in law and, therefore, adopts the Report and Recommendation. The Court hereby DISMISSES Plaintiff’s complaint without leave to amend pursuant to 28 U.S.C. § 1915(e)(2)(B).

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IT IS SO ORDERED.

Dated: October 4, 2017



LUCY H. KOH
United States District Judge