




1 F.3d 992, 1000 n.13 (9th Cir. 2005); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121  
2 (9th Cir. 2003) (en banc) (“Neither the Constitution nor the [Federal Magistrates Act]  
3 requires a district judge to review, de novo, findings and recommendations that the  
4 parties themselves accept as correct.”).

5 No party has filed an objection to the Report and Recommendation. The Court  
6 has reviewed the Report and Recommendation, the record, and the submissions of the  
7 parties.

8 IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 17)  
9 is adopted in its entirety. IT IS FURTHER ORDERED that Defendants’ motion to  
10 dismiss (ECF No. 13) is granted in part and denied in part as set forth in the Report and  
11 Recommendation and Defendants’ motion for summary judgment (ECF No. 14) is  
12 granted. This case is dismissed. The Clerk is ordered to enter judgment in favor of  
13 Defendants and against Plaintiff and to close the case.

14 DATED: August 28, 2018

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16 **WILLIAM Q. HAYES**  
17 United States District Judge  
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