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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
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11 JERMAINE ROBERT BLAIR,  
12 CDCR #F-81619,

13 Plaintiff,

14 v.

15 CORRECTIONAL OFFICER  
16 HERRERA-SALAZAR, et al.,

17 Defendant.

Case No.: 19cv1261 DMS (KSC)

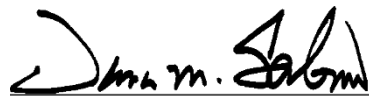
**ORDER (1) ADOPTING REPORT  
AND RECOMMENDATION, AND (2)  
DENYING MOTION TO DISMISS**

18 This case comes before the Court on the Magistrate Judge's report and  
19 recommendation ("R&R") concerning Defendant Herrera-Salazar's motion to dismiss  
20 (ECF No. 10). The Magistrate Judge recommends that the Court deny the motion. No  
21 party has filed objections to the R&R, and the time for doing so has expired.

22 Having reviewed *de novo* the Magistrate Judge's R&R, the Court adopts the R&R in  
23 its entirety, and denies the motion to dismiss (ECF No. 10).

24 **IT IS SO ORDERED.**

25 Dated: November 20, 2020

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27 Hon. Dana M. Sabraw  
28 United States District Judge