

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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**Erik Becerra,**

**Civil No. 08-5358 (JMR/JJG)**

Plaintiff,

v.

**ORDER**

**Jessica Symmes, et al.,**

Defendants.

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This matter is before the undersigned on the report and recommendation of the United States Magistrate Judge. No objections have been filed to that report and recommendation in the time period permitted. Based on the report and recommendation of the Magistrate Judge, and being advised of all the files, records, and proceedings herein, **IT IS HEREBY ORDERED THAT:**

1. The defendants' motion to dismiss, or in the alternative, for summary judgment (Doc. No. 46) is **GRANTED**.
2. All federal claims are **DISMISSED WITH PREJUDICE** and, to the extent Mr. Becerra pleaded any state-law claims, those claims are **DISMISSED WITHOUT PREJUDICE**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated this 3<sup>rd</sup> day of February, 2010.

s/James M. Rosenbaum  
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JAMES M. ROSENBAUM  
United States District Judge