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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JUAN CARLOS GARCIA,)
)
 Plaintiff,)
)
 vs.)
)
 GEORGE ASSAD,)
)
 Defendant.)
 _____)

2:09-cv-00080-RCJ-GWF

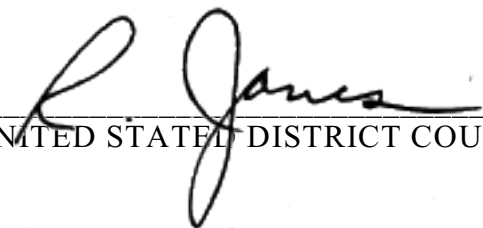
ORDER

Before the Court for consideration is the Findings and Recommendations (#3) of Magistrate Judge George W. Foley, entered February 20, 2009, and the Findings and Recommendations (#6) of Magistrate Judge George W. Foley, entered April 9, 2009.

The Court has conducted a review of the record in this case and determines that the Findings and Recommendations (#3, #6) of the United States Magistrate Judge entered February 23, 2009, should be affirmed. As such,

IT IS HEREBY ORDERED that Magistrate Judge Foley’s Finding and Recommendations (#3, #6) be affirmed and adopted and that this action should be **DISMISSED WITH PREJUDICE** based upon 1) Plaintiff’s failure to submit a completed application and affidavit in support of a request to proceed *in forma pauperis*; and based upon the extent that 2) Plaintiff’s Motion for an Evidentiary Hearing (#4) and Letter to the Court (#5) were intended to serve as a Complaint.

DATED: July 2, 2009



UNITED STATES DISTRICT COURT