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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DAVID W. LINDER,

Plaintiff,

v.

LAS VEGAS METRO POD,

Defendant.

Case No. 2:10-CV-01216-KJD-PAL

ORDER

Presently before the Court is the Order and Report of Findings and Recommendation (#21) of Magistrate Judge Peggy A. Leen recommending that Plaintiff's complaint be dismissed for failure to assert a claim upon which relief may be granted. The order also denied several of Plaintiff's motions. Though the time for doing so has passed, no objections to the magistrate judge's order have been filed. However, Plaintiff did file a Motion to Strike Lines 15-17 (#22) of the magistrate judge's order. Construing Plaintiff's *pro se* pleadings liberally, that motion may be considered objections to the order and report and recommendations. The Court has conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. § 636(b)(1) and LR IB 3-2. The Court finds that the Order and Report of Findings and Recommendation (#21) of the United States Magistrate Judge entered January 31, 2011, should be adopted and affirmed.

1 Having read and considered Plaintiff's motion to strike, the Court grants the motion in
2 part and denies it in part. The motion is granted, but only to the extent that the Clerk of the
3 Court will be ordered to seal the magistrate judge's order. Plaintiff's motion to strike the
4 lines in question is denied.

5 IT IS THEREFORE ORDERED that the Order and Report of Findings and
6 Recommendation (#21) of the United States Magistrate Judge entered January 31, 2011, is
7 **ADOPTED** and **AFFIRMED**;

8 IT IS FURTHER ORDERED that Plaintiff's complaint is **DISMISSED with prejudice for**
9 **failure to state a claim upon which relief can be granted**;

10 IT IS FURTHER ORDERED that Plaintiff's Motion to Strike Lines 15-17 (#22) is
11 **GRANTED in part and DENIED in part**;

12 IT IS FURTHER ORDERED that the Clerk of the Court **SEAL** the Order and Report of
13 Findings and Recommendation (#21) of Magistrate Judge Peggy A. Leen entered January 31, 2011.

14 DATED this 22nd day of February 2011.

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19 Kent J. Dawson
20 United States District Judge
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