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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

JINO B. EVANS,)
)
 Plaintiff(s),)
)
 vs.)
)
 DENNY'S INC.,)
)
 Defendant(s).)
 _____)

2: 10-cv-1886-RLH-RJJ

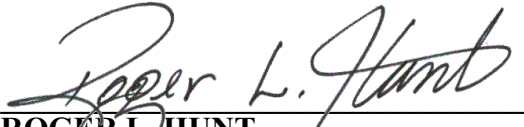
ORDER

Before this Court is the Report and Recommendation of United States Magistrate Judge (#8, filed January 6, 2011), entered by the Honorable Robert J. Johnston regarding Plaintiff's proposed complaint. No objection was filed to Magistrate Judge Johnston's Report and Recommendation of United States Magistrate Judge in accordance with Local Rule IB 3-2 of the Rules of Practice of the United States District Court for the District of Nevada, and the matter was submitted for consideration.

The Court has conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. §636(b)(1)(B) and (C) and Local Rule IB 3-2 and determines that the Report and Recommendation of Magistrate Judge Johnston should be accepted and adopted.

IT IS THEREFORE ORDERED that Magistrate Judge's Report and Recommendation (#8) is ACCEPTED and ADOPTED, and the case is dismissed with prejudice.

Dated: February 3, 2011.



ROGER L. HUNT
Chief U.S. District Judge