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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

EDWARD F. DUNDAS,  
Plaintiff,  
v.  
TIMOTHY A. DOYLE,  
Defendant.

Case No. 2:11-CV-02107-KJD-PAL

**ORDER**

Before the Court for consideration is the Report & Recommendation (#2) of Magistrate Judge Peggy A. Leen, recommending that this action be dismissed for failure to state a claim. No objection to the Report and Recommendation has been filed.

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. Based on its review, the Court agrees with Magistrate Judge Leen’s determination that the complaint be dismissed with prejudice because it fails to state any claim upon which relief can be granted.

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**IT IS HEREBY ORDERED THAT** the Report & Recommendation (#4) of Magistrate Judge Leen, should be **ADOPTED and AFFIRMED.**

**IT IS FURTHER ORDERED** that this action is **DISMISSED.**

DATED this 4th day of February 2013.



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Kent J. Dawson  
United States District Judge