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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

13 EDWARD F. DUNDAS,
14 Plaintiff,
15 v.
16 TIMOTHY A. DOYLE,
17 Defendant.

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

ORDER

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

22 The Court has conducted a *de novo* review of the record in this case in accordance with 28
23 U.S.C. § 636(b)(1) and LR IB 3-2. Based on its review, the Court agrees with Magistrate Judge
24 Leen’s determination that the complaint be dismissed with prejudice because it fails to state any
25 claim upon which relief can be granted.

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

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

4 DATED this 4th day of February 2013.

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8 Kent J. Dawson
9 United States District Judge

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